Presbytery
DISPLAYD

For the *Juſtification* of ſuch as do not *Like* the GOVERNMENT; and for the *Benefit* of Thoſe, that do not *Underſtand* it.

Omne Ignotum *pro* Magnifico *eſt.*
Tacit. Jul. Agricolæ vita.

LONDON,
Printed for *Henry Brome* at the *Gun* in *Ivy-lane.*
M. DC. LXIII.

Imprimatur,

Ex. Æd. Sab.
Feb. 9. 1662.

Geo. Stradling *S.T.P. Rev.*
in Chriſto Pat. D. Gilb.
Epiſc. Lond. *à Sac. Domeſt.*

Witt: Goethly

Presbytery DISPLAYD

For the *Justification* of such as do not *Like* the GOVERNMENT; and for the *Benefit* of Those, that do not *Understand* it.

Omne Ignotum *pro* Magnifico *est*.
Tacit. Jul. Agricolæ vita.

LONDON,
Printed for *Henry Brome* at the *Gun* in *Ivy-lane*.
M. DC. LXIII.

Presbytery

DISPLAYD

For the *Justification* of such as do not Like the GOVERNMENT; and for the Benefit of Those, that do not Understand it.

Omne Ignotum pro Magnifico est.
Tacit. Jul. Agricolæ vita.

LONDON,
Printed for *Henry Brome* at the Gun in *Ivy-lane*.
M. DC. LXIII

262.4
M45b
1663

The Preface.

THis little Treatiſe was Printed in 1644. *in form of a Letter: but upon peruſal, finding it as well calculated for* 1663; *I have preſum'd to ſend into the World once again, and ſuch as I found it, to a ſyllable, ſaving only the change of the* Title; *and the Addition of this* Preface.

It came to my hand with the Authority of a very Judicious, and Honourable Perſon; Whoſe Name ſhould now warrant it to the Publique, but that it carries it's own Juſtification within it ſelf.

The Subject it treats of, is, The Holy Diſcipline *of the* Kirk, *and it is handled with that* Order, Clearneſs, *and* Modeſty, *which*

does abundantly witness the Authours of it to have been a great Master both of his Pen, and Passions. *It exhibits, in fine,* The PLATFORM of PRESBYTERY; *so pertinently, and succinctly touch'd, that in an Hours time a man may give himself full Prospect and Accompt of the whole Mystery.*

The

The CONTENTS.

THe Presbyterian-Government *has* 4 Judicatories Page 2.

Judicat. I.

The PAROCHIAL SESSION ibid.

The Juriſdiction Spiritual is Radically in the Lay-Elders Pa. 3.
Their Four Sacred Orders ibid.
The Caſes Cogniſable by this Seſſion ibid.
They impoſe civill Puniſhments, and Fines, Refuſing to Baptize the Child of a Parent that has not pay'd his Fine Pa. 4.

Judicat. II.

The PRESBYTERY Pa. 5.

The Caſes Proper to it ibid.
Their Lay Preachers Pa. 6.
The Authority and Prerogatives of This Judicatory Pa. 7, 8, 9.
The Inconſiſtence of it either with Commerce or Government Pa. 10.
The Horrid Tyranny of the Patriarchal Presbyters over their Brethren Pa. 11.

Judicat. III.

The PROVINCIAL SYNOD Pa. 13.

The Extent of Their Power, and the Caſes that fall within their Juriſdiction. ibid.
Their Wayes of Menaging Faction, and Making Parties Pa. 14.
The Pride and Pomp of their Gamalitels Pa. 14, 15, 16, 17.

The Contents.

Judicat. IV.

The GENERAL ASSEMBLY Pa. 17.

The Composition, and Independent Sovereignty of it Pa. 18.
The King a Member of it, and subject to it Pa. 18, 19.
The vast Power of This Court Pa. 20, 21.
Laymen Judges in points of Faith ibid.
If the King will not Reform, The General Assembly may; and in what Manner They please Pa. 22, 23, 24.
They Protest against King and Parliament and usurp Royal Power P. 25.
The Method of their first Reformation Pa. 27.
They Establish their own Discipline Pa. 33.
Their Superlative Sovereignty in Spiritualibus Pa. 34.
They make bold with King James Pa. 35.
Treason in the Pulpit is only Cognisable by Themselves Pa. 36, 37, 38.
They Assume a Right of Chusing the Kings Counsellors Pa. 40, 41.
All other Judicatories are subordinate to this Pa. 43, 44, 45.
Their Policy in Promoting Sedition Pa. 46, 47.
The Presbyterians *Dogmatical Creed Inconsistent with Monarchy* Pa. 50.

SIR,

SIR,

YEsterday you desired me to give you some proofs, by which it may appear how inconsistent Presbyterial Government is with Monarchie. You were pleased to tell me that some good and worthy men do desire to be satisfied in this point.

It seemeth, these men do not think that *Presbyterial Government* is destructive of the true necessary and perpetual Government of the Church, which is Episcopacie: instituted by Christ, propagated by his Apostles, and continued by uninterrupted Practice above 1500 years in the Church, and to this day retained in the greatest part of the Christian world. We deceive our selves, to promise or expect to King or Kingdome, Prince, or Subject, Peace and safety, or deliverance from our troubles and distresses, if we subordinate Fundamentals in Religion, necessary truths of faith, worship and Government, to our publique or private civill good. Nor am I able to expresse how high an Impietie it is, at this time when God's hand is out against us justly for our sinnes, to be so disposed and fixed upon a resolution, that to redeem external Peace, we will embrace any Government of the Church, provided it be consistent with Monarchy: and will not scruple, not only to shake off the true and necessary government instituted by our Lord; but, by Law, endeavour by highest authority to condemn it as Antichristian. If this be *not to frame mischief by a Law*, I know not what is. If this provoke not more wrath, more vengeance, make not the Land spew us all out, I am infinitely deceived. We may promise to our selves that by such a course we may say like to the man in the Gospel, *Soul, take thy rest for many daies*, but, it feareth me, the successe and event shall be much like to his case. Sir, I pray you consider what Peace hath King or Kingdome enjoyed here or in *Ireland*, since Episcopacy in *Scotland* by Law was damned, and the Presbyterian Anarchie (the Seminarie of all feude Faction and Rebellion as will appear by what ensueth) by Law and Supreme authority established.

I cannot dissemble, but to a man of your worth and Integrity I must unfold my self: I admire to see too too many amongst us here (where is great plenty of able Gentlemen of excellent learning, worth, wit, and all other perfections and endowments, as in any Nation besides) to be so prepared that they are too too inclinable, if not actually

resolved, to admit and authorize in this Kingdom and Church what they know not: and to forsake that happy Native proper government of the Church, the sweet fruits of which they have reaped so many years to the admiration, if not envy, of other Kingdomes, States and Churches. This is, *Samaritan-like*, to *worship that we know not*. Or, Athenian-like, to consecrate an Altar and to sacrifice *to an unknown God*.

Job. 4.

Act. 17.

Your worth and noble favours oblige me so much to you, that I cannot chuse but obey your command. And, for your satisfaction, I present you with a short view (as in a Mappe) of Presbyterial Government; give you a little touch of their Maxims, and suitable Practices, and that with as much truth and honesty as your goodnesse expects from me. By which it will be more then apparent, that *Presbyterie*, as it is at this day somewhere within his Majesties Dominions, is not only *inconsistent* but also *destructive of Monarchie*; And where it obtaineth, it disturbeth the quiet and peace publique and private of King and Kingdome. This is that you desire, and, to satisfie you, to this I confine my self.

This Presbyterial government within it's verge hath four Judicatories. 1. *A Parochial Session*. 2. *A Presbyterial Consistorie*. 3. *A Provincial Synod*. 4. *A General Assembly*. The *Parochial Session* moveth in the lowest sphere. The General Assembly is the *Primum mobile*, the highest Orbe, which carrieth all with it's motion, although the rest have their proper and specifick motions. The other two are in the middle, and interjected Orbs. I shall begin at the lowest Judicatorie, and so shall orderly ascend to the Supreams.

Of the Parochial Session.

1. Of the Session, how and of whom constituted.

EVery Parish hath one or more Ministers. If more, all of them are equal in all honour and jurisdiction, only the Senior hath the precedencie. To the Minister, or Ministers of each Parish, to make up a Session, in which is fixed the Parochial Jurisdiction, a competent number of *Lay-Elders*, (whom they call, *Presbyteri non-docentes*) and Deacons, proportionable to the precinct and extent of the Parish, are conjoyned: which associate Body thus compacted, is the *Spiritual-Parochial-Sanhedrim*.

This Session sits once a week, or oftner, *pro re natâ*: In which, *all Parochiall Cases*, which concern *externall order and censure*, are determined and ordered.

The Minister is Moderator.

If there be but one Minister in the Parish, he is *constant Moderator*:

If

If there be more, they moderate by turns, either weekly, or monthly, as they agree.

Whatſoever thing is ordered, determined, or decreed, is done by the joynt-conſents of the *Miniſter, Lay-Elders, and Deacons*, or by the plurality of voyces. The Miniſter, who is the Moderator, hath *no caſting, no Negative Voyce.* He hath no Negative Voyce.

The power of all Juriſdiction, is *radically*, and *equally* in all; for binding, for looſing, for all cenſures Eccleſiaſtical, for orders which concern external order and worſhip. So the *Power of the Keys* is as much in the *Lay-Elders*, and Deacons, as in the Miniſter or Miniſters. What ſacrilegious intruſion upon ſacred Orders this is, I need not inform one of your underſtanding. The Juriſdiction ſpiritual is radically in the Lay-Elders

To make this frame good, they maintain that *Jure divino* there be four orders of Eccleſiaſtical offices, (allow me to ſpeak in this Epiſtle all along their dialect) or perſons. 1. *Preaching-Elders*, whom they call Miniſters. 2. *Doctors*, theſe are profeſſors in the Chair, ſuch as are in Univerſities. 3. *Lay*, or *ruling*-Elders, who now have *vocem deliberativam & deciſivam in rebus Fidei, Cultûs, Politiæ* and *in foro exteriori Eccleſiæ*, *in cenſuris Eccleſiaſticis* are as much intereſſed and authorized, as Preaching-Elders. 4. *Deacons*, who have truſt of the means and monies deſtinated for pious and charitable uſes. Their four ſacred Orders.

This is very conſiderable too, that although they hold theſe four orders and offices neceſſary for the Government of Chriſt's Church, *de Iure divino*, by divine Right and Inſtitution; yet neither the Parochial Conclave, nor any Presbyterial Conſiſtory (except it be where the Presbyterial ſeat is in a City where an Univerſity is) have any Doctor or Doctors amongſt them. Nay, which is more, nor be any ſuch in their general Aſſemblies, or, if they be, they appear only in that capacity as Commiſſioners from, and for, the Univerſity.

It is worth your notice-taking, that their Lay-Elders and Deacons are yearly elected. Here is truly verified of them, that, *Hodie Clericus, cras Laicus.* This year they are ſacred, the next year prophane.

The things within the compaſſe of *Seſſion juriſdiction*, are, things meerly Parochial, the ordering of the Pariſh Church and peculiar Service, the cenſure of leſſer Scandalls (I muſt ſpeak their words) as Fornication, Drunkenneſſe, Scolding, Profanation of the Sabbath (they mean *the Lords day*) &c. Capital Scandalous crimes, or Scandalls of Higheſt ſtrain, are reſerved as caſes of peculiar juriſdiction for *the Presbytery*; as alſo leſſer offences when they are attended with The competent caſes of this Seſſion.

O'ſtinacy, and what is cenſurable or puniſhable by the *greater Excommunication*. If I miſtake not, they know not much, at leaſt uſe not much, the *Leſſer Excommunication*. In the caſes above-mentioned the Cognition, Examination, and Judgment of the cauſe is proper to the *Presbytery*; the Miniſter with his *Parochial Conclave*, are only the *Executioners*. If any parochial difficult caſe occurre, which this *Parochial Sanhedrim* cannot determine, the uſe is to conſult with *the Presbytery*.

They enjoyn civill puniſhments and fines.

When the *Seſſion* cenſureth any Delinquent, or Scandalous perſon, they order his publique and Solemne repentance (if by ſome ſuperiour judicatorie it be not determined) as they think fit, by plurality of voyces; after performance of which order, the penitent is received into the communion of the Church. But before the delinquent be admitted to do his Repentance, he is fined in a *pecuniary mulct*, at their diſcretion, proportioned to the *demerit of the offence*, and the *ability of the Perſon*, as he is poorer or richer. It is true, this mony is, for the moſt part, imployed to pious and charitable uſes. As they puniſh by Pecuniary fines, ſo *corporally* too, by impriſoning the perſons of the Delinquents uſing them diſgracefully, carting them through Cities, making them ſtand in *Iogges*, as they call them, Pillaries, (which in the Country-Churches are fixed to the two ſides of the main door of the Pariſh Church) cutting the halfe of their Hair, ſhaving their Beards, &c. and it is more then ordinary, by their *Original* and *Proper power*, to baniſh them out of the bounds and limits of the Pariſh, or Presbytery, as they liſt to order it. Is not this *poteſtas utriuſque gladii*? And would not a good Learned Juriſt ſay, that this is not only intruſion upon *meerly civill Power*, but upon the very Royal Rights themſelves? The Imperial Law, if I be not miſtaken, maketh *baniſhment* ſo peculiar to the Soveraign Authority, that without it's power and conſent, it cannot be inflicted upon any *civis*, any Subject.

They will not baptiſe the child, if either of the parents have not payed the fine or ſatisfied the Church.

Their ordinary practice more in this, is; that when a pecuniary mulct is inflicted, if the delinquent pay not the defined and determined ſumme, or at leaſt give ſecurity for the payment of it, although he ſhould teſtify all the contrition is requiſite, by humble confeſſion, and offer moſt willingly to do all pennance, to give all ſatisfaction, he will not be admitted to ſatisfie publikely: nay he is proceeded againſt for *Contumacie*, and they will threaten Excommunication.

Nor is that to be paſſed by, that, if a Child be born *in Fornication*, and either of the Parents hath not ſatisfied the Church; they will refuſe

refuſe to Baptize the poor Infant, till the Church get ſatisfaction. This is conſonant with Scripture, *Anima quæ peccaverit, ipſa morietur.* It is fit now in the next place to ſpeak of

The Presbyterie.

WHich is the next Judicatory, to which the Seſſion is ſubordinate. It hath in it ſomewhere more, ſomewhere fewer, Pariſh-Churches; as ſome are made up of Twenty, ſome of Twelve, ſome of fewer.

All perſons within theſe Pariſhes, within the precinct of this Presbytery, of what quality ſoever (the King, or His Family herein are not exempted; nay, nor from the juriſdiction of His Parochial Seſſion) are under the power and juriſdiction of this *Grand Conſiſtory.*

The members Conſtituents of this Presbytery are all the Parochial Miniſters within its compaſs, and a Lay-Elder for each Pariſh. The Lay-Elders are in number equal to the Preaching Elders, and in Power, Voice, Juriſdiction, in Hæreſie, Idolatry, Worſhip, Cenſure, *&c.* are *pari conſortio honoris & poteſtatis præditi*, are ſo equal and uniform, that a Plowman from the Plow, or a Tradeſman from his Shop, ſitting there in the capacity of a Lay-Elder, his voyce is as good as the voyce of the moſt Reverend and Learned Divine, if any be there. They maintain a parity in all, only a little difference in this, that a Lay-Elder cannot be Moderator: Yet have they no Canon for it. And we are able to prove by their Books, that men who were never in Sacred Orders of Prieſt or Biſhop, have been Moderators, not only of their Presbytery, but of their ſo much *Idolized General Aſſembly.* Mr. *Robert Yoole*, who was never Prieſt, nor Deacon, only Reader in St. *Andrews*, was in one turn, for a year, or half a year, or ſome laſting time, Moderator of the Presbytery of Saint *Andrews*; and Mr. *George Buchanan*, who was never Church-man; and Mr. *Andrew Melvil* who had never the Order of Deacon, both of them have been Moderators of their *great General Aſſembly.* The members conſtituents of the Presbytery.

The caſes proper to this Judicatory, are 1. ſuch as are from every individual Pariſh within its compaſs referred, or preſented. 2. All crimes and ſcandals of higheſt ſtrain, namely ſuch as are civilly puniſhable by death. 3. All crimes which come under the cenſure of Excommunication. 4. All appeals from Seſſions. 5. All differences which cannot be compoſed or determined in the *Parochial Conclave.* 6. The viſitation and cenſure of all what is amiſs in every Pariſh, either in Preacher or other. 7. The appointing of Readers, and School-Maſters. The caſes proper to it.

The time of meeting.

They meet once a week in ſome places, in other places only once a fort-night. All the Miniſters in their ſeveral turns, at their Meeting-*Exerciſe*, as they call it; that is, there is appointed by the Presbytery, ſome one Book of old, or new New-Teſtament, which every one by turns in his own courſe interpreteth in the Pariſh-Church, where the Presbytery doth meet. Two alwayes ſpeak, the firſt from the Readers Desk or Pew; the other, in ſome other place diſtant from him, but convenient for hearing. The firſt Analyſeth, Interpreteth, and taketh away the doubts of his Text; and (as they enjoyn) he is bound to the *doctoral part*. The ſecond, when the firſt hath done, addeth to what is ſaid: hath a warrant to ſupply the defects, or correct the Errors of the firſt Speaker; but eſpecially his charge is the *Paſtoral part*, to apply the Text, and bring it home to the affections.

Lay-Preachers.

There be Ingredients in this *Exerciſe*, ſuch as God's Church before this late age never knew, a kind of Creatures whom they call *Expectants*. Theſe are Students in Divinity, or Countrey School-Maſters, or ſuch Youths who are bred with ſome *Gamaliel*; who after that they have given their private trials, by Preaching and Diſpute, are enrolled *Expectants* of ſuch, or ſuch a Presbytery. Theſe muſt keep their turns in Exerciſing, and adding (as they call it) with the actual Miniſters, (ſo they call them); and once admitted to that Presbytery, may, whenſoever employed, Preach in any Pariſh-Church within the bounds of that Presbytery, do all *Miniſterial acts*, except Baptize, or give the Sacrament of the Lords-Supper, (for ought I know, there is no Conſecration uſed by them in that holy action, but a meer Thankſgiving) nay, they may be conſtant helpers, and Co-Preachers with a Rabbi, if he, the Pariſh, and Presbytery agree to it. I pray you, ſhew me where ever you read of ſuch a profanation, that a Lay-man without Orders, Impoſition of hands, ſhall be a Publique Preacher of God's Word, and intrude upon this Sacred Function. Theſe, for the moſt part were the *Beardleſs Boyes* King *James* of bleſſed memory, mentioneth in the Conference at *Hampton-Court*, *Who would brave him to his face*. pag. 4.

Within one County there may be two, or three, more or fewer Presbyteries, according as there be more or fewer Pariſh-Churches; and yet all theſe Presbyteries are independant one from another: only it is remarkable, that the Presbytery of *Edenburgh*, becauſe (as they ſpeak) *it is ſeated on the Watch-Tower*, hath well nigh obtained by cuſtom, and other means, a *Superintending power*, over all other Presbyteries; and other Presbyteries many times

times ſend thither to have reſolution of their difficult caſes. The reaſon is, beſides the eminency of this City by its wealth, and the reſidence of all higheſt Courts of Juſtice there, (although this Allobrogical brood maintain Parity) there be notwithſtanding ſome few Patriarchs, who rule and over-rule all, *who Lord it, and Pope it*, over the Lord's Inheritance; and in this City ordinarily are ſome of theſe Patriarchs: and the *Reſponſa prudentum* from hence, are received as Oracles by remote Presbyteries, and reverenced as Anſwers by *Urim* and *Thummim*.

There is none who liveth within the verge of a Presbytery, but is anſwerable to this *Claſſis and Judicatory*, and muſt appear whenſoever, or for whatſoever cited. The King and His Family are not exempted, nor priviledged. If He be cited, and appear not, He may be excommunicated for His diſobedience and contumacy: If He appear, He muſt ſubmit His earthly Scepter, to that their Scepter, which they term the Scepter of Chriſt; He muſt do what is enjoyned. The Presbytery is Independent from the Crown of an *Earthly King*, who is *God's and Chriſt's Vicegerent in the general Kingdom* of his Providence only; But this *Sanhedrim* is *Chriſt's Vicegerent* in His œconomical Kingdom as Mediator, as they ſpeak; and conſequently to it He muſt vail His Crown, ſubmit his Scepter, and from it receive Chriſt's Law and Ordinances.

King *James* of bleſſed memory, knew this well, who therefore in that Conference at *Hampton-Court*, pag. 79. ſaith, "*A Scottiſh Presbytery, as well agreeth with a Monarchy, as God and the Devil: then* Jack "*and* Thom, *and* Will, *and* Dick, *ſhall meet, and at their pleaſures cenſure Me, and My Councel, and all My proceedings. Then* Will *ſhall ſtand* "*up and ſay, It muſt be thus: Then* Dick *ſhall reply*, and ſay, Nay marry, "*but me will have it thus. And therefore here I muſt once reiterate my* "*former ſpeeches* (the King is anſwering to D. *Rainolds*, who ſeemeth to begge of His Majeſty a Presbytery, or ſomething like to it) "*Le* "*Roy s' aviſera: Stay I pray you for one ſeaven years before you demand* "*that of me: and if you then find me purſey and fat, and my Wind-pipes* "*ſtuffed, I will perhaps hearken to you: For, let that Government be once* "*up, I am ſure I ſhall be kept in breath; then ſhall we all of us have work e-*"*nough, both our hands full. But, D.* Rainolds, *till you find that I grow la-*"*zy, let that alone.*

It is more than notoriouſly known to many yet living, and is upon Record in the Presbytery Books of *Edenburgh*, how King *James*, not once, but many times, hath ſent men of Honour and good quality, demanding,

The Presbytery hath kept ſtrife with King *James*.

manding, or rather requesting for some things at their hands; who have heard the Commissioners propose the King's mind; But they, to keep the power and place Christ hath given them in that dignity, suitable to so high a Trust, have dismissed the Gentlemen sent by the King without answer, and by an Order of that *Spiritual-house*, have appointed one, or two, as *Commissioners of the Presbytery*, to go to the King with *their will and pleasure*, loosing nothing of *Christ's authority*, and carrying themselves with the King, almostas if two free Estates, or two free Kings, had met and were dealing together.

All cases and crimes are within the censure of the Presbyterie.

As no person is exempted from obedience and submission to this power, so no crime or sin whatsoever *committed*, or *suspected* to be committed, within the Seignory of this petty Principality. And that sometimes is so extravagantly and transcendently too look't after, and called in question, (especially if indiscreet Zeal, or holy Spleen work and move by the Spirit on a holy Brother) that if there be a fact and fault committed, secret, or known to very few, it is brought forth to the light of the World: There is no care taken to reconcile the lapsed to God in a private way, and to conceal his offence, but disgraced he is publiquely. What sound repentance this may work, judge you. How consonant this is to the Apostolical Canon, *They that sin publiquely, rebuke publiquely*; and to the common Maxim of the Church, *de occultis non judicat Ecclesia*; he may easily see, who hath not divorced himself from common sense and reason. To cure these secret sins by the power of the Keys *in interiori foro conscientiæ*, and cover them with the mantle of Charity, smelleth ranckly of auricular Confession, Popish absolution, and *Sigillum confessionis*. See the conference at *Hampton-Court, pag. 93*. It is certain, a foolish man revealing foolishly his faults to his wife, the zealous Wife, upon some quarrelling betwixt her and her Husband, hath gone to a good Minister, revealed what was told her, and the honest impartial Minister hath convented the man, charged him with his sin, and made him confess, satisfie, and do penance publiquely.

Crimes suspected, are curiously here inquired after.

Nay, upon a surmise, suggestion, suspition, or any misinformation, if the Minister, or Lay-Elder delate (that is, present) two persons to converse so familiarly, that it is to be feared that they are guilty of fornication, if they be unmarryed; or of adultery, if both of them, or either of them be marryed; they shall be cited, and convented, examined by all proofs, presumptions, interrogatories, *&c.* whether or not they have sinned. If that the presumptions be pregnant, although no proof be, they shall be put in close Prison, fed on bread and water

ter, kept that none may come at them, all Members Constituents of these Judicatories, appointed to try what they know against the *next Court-day*; when no proof can be had, and all the presumptions do not fasten guiltiness upon the accused, and the Imprisonment and other hard usages cannot extort a confession, they are dismissed: But an act is enacted, that if those two persons suspected of fornication, or adultery, shall be seen to meet, or be in company together, except they meet in Church or Market, it shall be holden *pro confesso*, as confessed, that they are guilty of what they are charged with.

Nay, sometimes the parties, although innocent and no real evidence being produced against them, are brought on the Lord's-day publiquely to the middle of the Church before the Pulpit, to declare, sometimes to confirm their Declaration by an Oath, that they are innocent and free of that crime wherewith they are charged. And sometimes they are forced to make their publique Repentance in the Church, upon a Pillary, for their unchristian behaviour: because that, although the parties charged be free, yet their conversation hath been *suspitious and scandalous*.

A whole Volume might be written of young women by these courses disgraced and defamed: of many Families divided and scattered, whereas before there was no jealousie betwixt the man and the wife.

This Judicatory of the Presbytery is so high, and of so vast a latitude, that, as the *Pope* bringeth in all civil causes to himself as a competent Judge, *sub formalitate peccati*; so, this *Papal Conclave* bringeth any thing, howsoever meerly and purely civil, under it's lash, *sub formalitate scandali*, as scandalous to a Christian profession.

Presbyterial Government inconsistent with the liberty of trade and commerce.

It is not forgotten by many yet living, how the Presbytery of *Edenburgh* attempted to censure Ecclesiastically the Merchants there, for carrying Wheat to *Spain* in time of a famin or dearth there, for this was to feed and maintain God's enemies. But above all, that was a *piaculum*, an almost inexpiable sin, to transport wax to *Spain*; for this was to be accessory to Idolatry, in respect the greatest part of this wax was imployed in making Tapers and Candles to the *Virgin Mary*, and *other Saints*.

Inconsistent with the authority of civil Judicatories.

In S. *Andrews*. *I. T.* was endebted to *P. T.* a considerable sum of money, the greatest part of his stock: *I.T.* delaying, or shuffling, or not able to pay *P.T.* at the day of payment designed in the Bond, *P.T.* obtained before the Lords of Session a Judgment against *I. T.* with power to demand payment in the King's Name, and upon disobedi-

ence to be out-lawed, and fall into a *Præmunire*, or escheating of his moveable Goods and Chattels. *I. T.* bemoans himself to the Presbytery. The Presbytery convents *P. T.* before them, threatens him with Excommunication, if he did persist to put in Execution the Judgment of the highest Judicatory in the Kingdom: and for fear of this dreadful Court and horrid sentence, he passes from his pursuit, continueth the demanding of repaying of his money. You see here what power this Presbytery hath over all; and the highest of civil Judicatories.

The Presbytery at pleasure repealeth Royal Grants by Law confirmed.

Infinite instances of this kind may be produced: give me leave to add one of a higher strain. The City of *Edenburgh*, by the Kings of *Scotland*, amongst other favours and priviledges, hath a Royal Grant of a weekly Market day on Monday. This Grant is confirmed by Letters Patents under the Great Seal, and by the standing Laws of the Kingdom; The Presbyterie here by their transcendent sole authority, discharged any Market to be kept on Monday; the reason was, because it occasioned the travelling of Men and Horse the Lord's-day before, which profaned the Sabbath. If the Tradesmen, who found at home what loss they had by wanting their Market, had not with force and violence opposed their Soveraignty, and made them forsake it, it was like enough to have passed, and obtained longer.

The most active in this case were the Shooe-makers, who were most prejudiced by the discharge of the Monday-market. They threatned the Ministery Right down, that if they persisted in that course, they would thrust them out of the gates of the City: which threat's restored the Monday's-market. When King *James*, that miracle of Piety, Learning, and Royal prudence, heard of this; he, with uncovered head, and lifted up hands, said to this, or much about this sense, *I thank God, the Shoo-makers have more power to repress the insolency and violence of the Presbytery, than I and my Councel both.*

The Presbytery will not suffer Landlords to sue for their Rents.

It is known to many yet living, that they have cited before them Noble-men, and Gentlemen of good quality, who had intended civil actions against their own Tenants before the ordinary Judg, and discharged them to prosecute them any further, under the pain of Ecclesiastical censures. This was *in re civili*, in a civil business, but *modus considerandi*, as they took notice of it, was *spiritual*. And why? because the holy Brethren pretended, This did withdraw People from their *lawful vocations*, *bred strifes*, and contention amongst Brethren, and did hinder the progress of the Gospel.

As the particular Ministers of individual Parishes are under them, so they find the tyranny of their *Archisynagogi*, their prime

leading

leading Ministers, in that measure, that their little finger is heavier than a Bishop's whole hand and loins. *Bishops* are like to a paternal Government, chastising with Rods; but the Presbyterians scourge them with Scorpions; any Lord, Knight, or Esquire, who is cunning, and can by fair carriage, or otherwise, gain favour or credit with some few *Patriarchal Presbyters*, he is able at pleasure to turn out an honest man (who perhaps is too free in rebuking the Gentleman for his sins, or cannot or will not condescend to grant his unlawful and unjust demands) and to bring in one to his own fansie and humor, with whom, and by whom, he is able to work and effectuate his own bad intendments. This *holy Sanhedrim*, although the Parochial Minister for *Intellectual abilities*, be sufficiently enabled, and for *moral Integrity* be blamless, yet they will find it fit he be transplanted from that Church, because the Congregation is not edified by him; at a Visitation the Landlord is able to make all say, and witness, they are not edified by him; or if a Presbyter who hath more power with the *Dominus Moderator*, and his Assistants, being in a Parish of a small stipend, and espying somewhere a better Parish, and an honest man in it, but not so much respected by the high Priests of the *Sanhedrim*, he will turn him out by the Presbytery, enter the charge, and reap the benefit of a better Parish, and place the other (it may be, and often proves so, the better and worthier man) in another Parish of less worth, and deterior his condition. There needs no other reason for this, but that this sacred Consistory, directed and assisted with infallibility, do find it *ê Re Ecclesiæ*, that it is for God's glory and the good of the Church.

Some few of the Presbyteria tyrannize over the rest of their poor Brethren, remove and transplant at pleasure.

I might instance a world of these Examples; only let me tell you one of the Presbytery of *Cooper in Fife*. A Noble man there, having one Master *Weymis*, an honest man, a Preacher and Parson at one of the Churches, the which whole Parish belonged to the Noble-man, used all the entreaties, all the threatnings he could, to perswade Master *Weymis* to make over to him, and his house, the Right of the benefice, which if I mistake not, was a Parsonage. The good man refused it: the Noble-man finding the man immoveable, having prepared the way with the *Ring-leaders*, acquaints the honest man before the Presbytery, obtaineth sentence of removing Mr. *Weymis* from that Church and benefice, and bringeth in one Mr. *Scrogie*, who with the consent of the Presbytery, sacrilegiously made over the Right of the Church to the Noble-man and his Family. Mr. *Weymis* was transplanted to another Church. The Right made over by

A honest man removed from his place, and one by them brought in, to make away sacrilegiously the Church patrimony.

Scrogie, was afterwards confirmed by Act of Parliament. King *James*, when this Noble-man came to him, spoke to him to this sense. My Lord, I wonder how you have so much power with the Presbytery to obtain such a thing, and work so strange a matter, I pray you teach me the way, for I would gladly know it. The Noble man answered, to this sense or much about it; Sir, you take not the right way, I prepared my business, by gaining the prime men to my course, I sent to *A. B*'s house so much Malt, and to *C. D*'s house so much Meal, to *N.* a Carcass of Beeff; this got me the power to put away *Weymis*, to bring in *Scrogie*, and from him, with the consent of the Presbytery, to have the right of the Parsonage impropriate to me and my house: Sir, this course you must take, if you would work any thing by or with these men.

The Testament of a Gentleman of Wit, and more then ordinary worth and esteem, is to this day extant, (although he dyed many years ago) wherein confessing his many Sins (he was much guilty of uncleanness, and was of more then ordinary reach in Political and Subtile wayes) abhorring himself for them, and earnestly begging pardon, professed, and protested, that no sin did wound his Conscience so much, as his deep Hypocrisie, who, without the true fear of God, made great shew of Religion where none, or little was, and to cover his sins from the World, to hide his shame, and the better to effectuate his private designs, he made much of some few prime leading Ministers: by doing of which, he was not challenged for his sins; and was enabled to work his other ends. This hath been, and is this day a constant course kept by all of that cutt and coat.

The Presbytery the Seminary and nursery of Feuds.

It is known, that no Kingdom of the Kings was so much infested with Feudes (as they call them) as that of *Scotland*: nor was there any thing more ordinary, than Neighbourly Feuds in Parishes, to be fought to the effusion of much bloud, partly beginning sometimes within the Church, and ended in the Church-yard, where many times some were killed. And it was as ordinary to find each Presbyterie divided in their affection and course, according as they affected the one, or the other party. Nor was *Scotland* ever free of Feuds, sheathing their Swords in their Neighbours bowels, murthering one another, till a little before King *James* came into *England*; nor did ever that Kingdom enjoy such Peace and Plenty, as during the time of Episcopacy.

Sir, by the few instances I have given you of many, you may see clearly, that Presbyterian Government is, not only inconsistent with Mo-

Monarchy, but deſtructive of the Liberty of the Subjects perſon, and trade; encroaching upon all Authority, Soveraign, and Delegate; reſtraining at pleaſure Cauſes and Suits commenced before Judges; forbidding Execution of Judgements obtained before the Ordinary Judges, repealing Grants, Letters-Patents, Rights and Priviledges authorized by Law: aſſuming to it ſelf the Civil power, exacting Civil fines, pecuniary mulcts, inflicting corporal puniſhments, painfull and diſgracefull; defaming young, diſgracing married perſons; and in brief, is againſt the peace of the Kingdom, of Families and of Neighbours. And for their Clergy or fellow-Presbyters, they tyrannize over their Conſcience, depoſe, or tranſplant them at pleaſure, for reaſons known to ſome few of the more active. It is proper now to ſpeak next of

Provincial Synods.

IN deſcribing of which we need not to inſiſt much: for, except that the Juriſdiction is of greater extent and latitude, in it's eſſentials, conſtitution, and power, with the exerciſe of it, it is the very ſame.

A Provincial Synod is the Apiſh Imitation of a Provincial Council, conſiſting of a Metropolitane, and the Suffragan Biſhops of his Province. With them, it is an aſſociate body of the Commiſſioners choſen out of all the Individual Presbyteries within the Precinct of the Province. How many there be of them in the Kingdom of *Scotland* at this inſtant, I know not: but the Kingdom is divided into ſo many Provinces, as they in their prudence think it fitteſt for the Government of the Church. What it is.

If I remember right, by their *platform of Diſcipline*, theſe Provincial Synods are to meet twice a year, or oftner, *pro re natâ*.

Theſe Synodal Aſſemblies have a *ſuperintending* and over-ruling power over all the Presbyteries within the limits of that Province. The extent of their power.

The caſes proper to theſe Courts, are, 1. All matters which do appertain to the whole Province. 2. All Referrs from all Presbyteries within it's verge. 3. All caſes of every ſeveral Presbyterie, which were diſficult, and could not there be determined. 4. The due cenſure of all what is thought to be done amiſs in any Presbytery within it's laſh. 5. What is ordered and decreed in thoſe Provincial Synods, tyeth all within the particular Presbyteries and Pariſhes, as well Lay as Clergy-men to obedience. Any Presbytery elſe, that moveth without the ſphear of this Province, is not tyed to obey what this decrees, by vertue of any authority flowing from it. The caſes which fall within their Juriſdiction.

he politick ratagem of e great amaliels.

The same course is holden in all things in the *Provincial Sanhedrim*, which is kept in the Presbyterial Consistory, so that I need not trouble you by resuming and repeating the like: only here is some piece and use of good Policy, which is this; In a Province, there may be some four or five, or six, or more, knowing leading Ministers, who overrule different and distant Presbyteries, and so cannot formally and fairly joyn their wits and power to compass their common and private ends. The meeting of this Provincial Synod, occasioneth the meeting of those leading men in the same place; who after that they have communicated Counsels, and agreed upon the course, they are able to draw their brethren, their Pupils of their Faction, as *Servum pecus*, slavishly, yet *with much zeal* to dispute, debate, and voyce for what they in their wisdom think fit for their own ends: which course layed down, will be so prevalent, that if it be against King, Countrey, Preacher, or Lay-men, in that concerneth the publike, or any private mans interest, to whom they stand engaged, it is to as little purpose to some good men to oppose, or moderate this course, as to a man to stop a current of a flood, after a great inundation of rain, with his foot.

There is another trick of policy too, whereby the *Apostles* of this Province advance their own credit, that the wisest of the Nobility and Gentry see who are the active and doing men, and having their particular interest many times both in the publike, and their own private, they make their address to these Popes, gain them to their course, and strengthen themselves by the Spiritual Sword to disturb the publike, or to gain their private ends, whether right or wrong. When the Commissioners from hence return to their several Presbyteries, they intimate to them, to command the particular Ministers to preach in their Parishes Doctrine tending to the advancement of those designs: and this is so much obeyed, that the Minister of the Kings family, or Parish, must sing the same song, although it concern the King in his Honour, or in that is most dear to him, and be to the prejudice of his Person, Soveraignty and Government.

e great nour which given to the triarchal sbyters.

These ἀρχηγοὶ, these *prime men of God*, are attended and honoured so by the subtle and cunning Nobles and Gentlemen, that they are well nigh deified; in their coming to and fro, to Assemblies, Presbyteries, or upon other occasions, the most eminent of the Province wait upon them, entreat them to come to their Houses, set them at the head of the Tables by my Lady, provide for them the best chambers. And that you may know, howsoever they pretend Parity, that

that it is *protestatio contra factum*; never Bishop in *Scotland* hath come into Cities with such Convoyes, been attended with such great personages, as some of this holy Brotherhood. It is to this day remembred, that when Mr. *Robert Bruce* came from his Visitation in the West, or South, returning to *Edenburgh*, and entring by the *Canongate*, King *James* looking out at his Window in his Palace at *Halyrude House*, with indignation, (which extorted from him an Oath) said, "*Mr.* Robert Bruce *I am sure intends to be King, and declare himself* "*heir to King* Robert *the* Bruce.

The presumptuous carriage of Mr. *R. Bruce* toward King *James*.

If you would allow me upon this to digress, I beg to be bold to tell you a true story, and the most insolent I believe you ever read or heard. When Q. *Elizabeth* was waxed old, K. *James* bethinking how to come at the peaceable possession of that Right God and Nature had entitled him to after her death; and resolving to recall and pardon the Earls of *Angus*, *Huntly*, and *Erroll*, (who at that time were banished, and beyond Seas) feared, if by himself, and his Soveraignty, he should do it, because they were professed Papists, he feared the Church would except against it, and move his Subjects to Sedition and Rebellion: yet the Noble men were most able to strengthen him, and do him best service in the Kingdom. To prevent this mischief, he sent one of his trusted and worthy Courtiers to Mr. *Robert Bruce*, one of the Ministers of *Edenburgh*, who at that time had great sway in the Church, desiring him to come to his Majesty about some business of high concernment. Mr. *Robert* did come. The good admirable King, welcomed him more then courteously, took him into his Retiring or Bed-chamber, spoke powerfully to this sense: *Mr.* Robert, *I have sent for you, to have your advice in a business of great weight, concerning the Peace of* Scotland *and* England, *and which concerns me in Right and Honour most nearly: Q.* Elizabeth, *my Sister and Cousin, is sick, and cannot live long, you know I have God's and Nature's Right to that Crown, I cannot lose it in Honour or in Justice, and yet my prayer to God is, that I may come at my Right without any blood. I know there is some Faction in* England *against me, but my friends are more prevalent there: It concerneth me, in point of Prudence, to provide that there be no Faction and division in this my Kingdom of* Scotland: *for if this Kingdom be all one way for me in hearty obedience and subjection, the disaffected party in* England *will be better advised, then to work me trouble to their great disadvantage. Now, saith the best and wisest of Kings, I fear nothing, but that these three Noble men beyond Seas, because of their forfeiture, may be wrought upon by Papists, encouraged and enabled by them there, and the*

English

Engliſh *Papiſts, who are moſt againſt my coming to the Crown of* England, *knowing I am a ſound Proteſtant, to come hither and trouble Me and the Peace of this Kingdom. Do you not think it fit, that I give them a pardon, reſtore them to their Honour and Lands, and by ſo doing, ſo gain them, that thus I may ſave the effuſion of Chriſtian blood?* To this demand, ſo piouſly made, the anſwer was: *Sir, you may pardon* Angus *and* Arroll, *and recall them; but it is not fit, nor will you ever obtain my conſent to pardon or recall* Huntly. To this the moſt gracious King ſweetly replyed: *Mr.* Robert, *It were better for me to pardon and recall him, and not the other two, then the other two without him. 1. Firſt, becauſe you know he hath a greater command, and is more powerfull then both of them. 2. Next, you know I am more aſſured of his affection to me; for he hath married my dear and neer Kinſwoman, the Duke of* Lenox *his Siſter.* His rejoynder was, *Sir, I cannot agree to it.* The King out of the great depth of his wiſdom and prudence, and his tranſcendent goodneſs, concluded thus; *Mr.* Robert, *I have imparted my moſt ſecret thoughts to you firſt, before any, and to you only; I am ſo confident of your zeal and good affection to Me and My Honour, that I entreat you to think upon this matter a day or two; and after your better thoughts and prayers, return to me, and tell me clearly what you think.* Thus was he diſmiſſed with as much reſpect as the King could give to any of his higheſt Subjects. The truth is, at this time this man had more power in *Edenburgh* then the King; and his credit there had a mighty influence upon all his Sect, and many in the Kingdom. Within a day or two he returns to his Majeſty, yet, if I be informed right, not till he was called upon: When he entred the Kings Preſence-chamber, the King took him into a ſecret retiring Room, as before, made the dore be ſhut, and ſpeaketh to this ſenſe: *Now Mr.* Robert, *I hope you have thought more ſeriouſly upon that weighty buſineſs I propoſed to you the laſt day, and have prayed God to direct you and Me both; tell me then what you think of my purpoſe and reſolution concerning thoſe three Noble-men.* He returneth this anſwer; *Sir, the more I think of it, the more I am confirmed in the advice I gave to you the laſt day: I agree with all my heart that you recall* Angus *and* Arroll, *but for* Huntly *it cannot be.* The King reſumed and repeated his reaſons before mentioned, and added ſome more: He obſtinately oppoſed and contradicted it. All do know, who knew any thing of theſe times, that *Angus* and *Arroll* were as bigot Papiſts, if not more, then *Huntly*; there was no difference in Religion: the truth is, Maſter *Bruce* was a Lover of the Earl of *Argyle*, who loved not much the Earl of *Huntly*. This was the Spirit inſpired him, as it

ſeemeth,

seemeth. King *James* desired his reasons: he gave none, but spoke Majestically. Then the King told him downeright, *Mr. Robert I have told you my purpose; you see how nearly and highly it concerneth me; I have given you my reasons for my resolution, you give me your opinion, but you strengthen it not with reason; wherefore I will hold my own resolution, and do as I first spoke to you.* To the which (with Christian and Subject-like reverence!) he returned this reply; *Well, Sir, you may do as you list; but chuse you, yet shall not have me and the Earl of Huntley both for you.* Sir, Judge by this in what case Monarchie is, in such a Government: for that this is truth, I am as much assured of, as morall certainty can assure any man of morall truth, which with his own ears he hath not heard. And yet this man was but Minister of *Edenburgh*.

To return thither, from whence we digressed, that you may know, that this great Honour which is done to those great ones, the Cabinet-Councell of all Provincial and General Assemblies, by these cunning and subtile Nobles and others, is not done in the *name of a Disciple, in the name of a Prophet*; reflect a little with your eyes, and consider how the same men respect and entertain their own Parish Minister: When the *Gamaliels* sits *by my Lady*, the Parish Priest, will be below the Candlestick; and will be forced to come to his Lord, or Laird, and *Crouch* down for *a morsell of Bread, and small piece of Money*. Nay before the *Gamaliel* be gone, he must prompt and Catechise the poor stipendiarie, how to carry himself with the Lord and Laird, not to exact too rigorously what is due in his *competent Stipend*; nor in Preaching, doctrine, or discipline, to offend the Lord or Laird: such good Christians, such *Jehoshua's*, *Nehemiah's*, and *Esdras's*, are to be much made of, for the cause of God. I dare to say, never Bishop or Archbishop in *England*, or *Scotland*, hath used more authority, nor did ever carry themselves so arrogantly towards the meanest of their Clergy, as these men do over their simpler brethren. I come now at last to

The Countrey, honour not these Apostles in the name of a Disciple; as it appeareth by the direspect all other Ministers have from their Parishioners.

The Generall Assembly.

THis is the *Great and High Sanhedrim*; the *last resolution* of faith is almost in this associate body. Here Christ has in the Highest glory and Dignity he can upon earth. Here is the *ultimate decision* of all controversies. Here you may find really that fancied infallibility of the Pope. The Jurisdiction in this is universall, in all concerneth *Ecclesiastica, Ecclesiasticos*, and what concerneth all *Temporalia in ordine ad Spiritualia*.

The Prerogative of this Court.

The independent Sovereignty of it.

The authority of it is soveraign, independent from any, derived to them by trust immediately from Christ; to him alone they are accountable. Whosoever obeyeth not this Soveraignty, is to be Excommunicate; the Magistrate is at their Command, and, as they prescribe, to punish in Estate, in Body, in Life and Death; If the King obey not, He is to be Excommunicated; and, to strengthen this, the Nobility, Gentry, Collective body, nay every individual person is to concurre, to compell and censure him to the utmost of his power, to punish, to dethrone, to un-King, to kill &c. Let us come and see how this goodly Judicatorie is made up.

Of whom and how it is composed.

It is composed, 1. First, of the Commissioners sent from all the Presbyteries of the Kingdom. Which (as I hear and am informed) is thus ordered. Every Presbytery sendeth out two Preaching Elders, and a Lay-Elder. By this it be[illegible] that the Clergy hath the advantage. 2. Secondly, therefore consider, that besides the Commissioners from Presbyteries, there cometh from every Burrow and Corporation one Commissioner; and *Edenburgh*, for some spiritual prerogative no doubt, is honoured and priviledged to send two. 3. Thirdly, the Universities and Colledges send their Commissioners, which for the most part are not Doctors nor Ministers, but Lay-Men and Graduates in Liberall Arts and Sciences. This will go near to equall the number of Lay-Commissioners to that of Preaching-Ministers.

How the King is a member of it, and of no power above the meanest Ruling Elder.

4. The King is a member constituent too, and should be there either *personally* by himself, or *virtually* and *representatively*, in, or by his Commissioner. He hath one voyce too, and that *affirmative* only. In what Capacity they admit the King to be a member constituent of this Spiritual Court, I know not well if they be agreed upon it. Some hold, that he is there as *Princeps membrum*. By this I see he is the first gentleman there, and it may be, hath the right hand too. Some say, as a Representative of the Civil body of the Kingdome, and sits there in that capacity. All of them agree in this, that he is bound by his own Presence, or Commissioners, to see and provide that no disturbance or violence be offered.

The King if present, and His Commissioner if absent, have so much honour indulged to Him, that He or His Commissioner may have four, or five, or six *assistants* for advice; but these Synodicall Fathers give their indulgences with such circumspect prudence, that, to preserve Christ's honour, and their own, entire, the King, or His Commissioner may debate and advise with His Councell, or Assistants,

or

or desire any of them to speak, while matters are in *debating*; But when it commeth to the decision and determination by voyces (and plurality of voyces maketh the decree) the King has *onely one voice*, and that *affirmative* onely, not *Negative*.

By this it is certain, that if the greater part of voices determine contrary to the King's voyce, nay to His mind and Conscience, He is bound to put it in Execution: for *Potestas juris* is radically in the whole Assembly, the King hath no more but *Potestatem Facti*, to be an Executioner *Rei Judicatæ*, of the decrees; otherwise, He is censurable; and if He be obstinately refractory, He is not worthy to hold His Crown. The King must execute their commands, although they be against His Conscience.

The King presides too, as they confesse; but so, that it is only civilly, and in His civill capacity.

If I be not mistaken, yet I dare not avouch this confidently, the King hath not Power to propose any thing spiritual, or that concerneth the Church; but if He do it, it must be done by the Right Father of the Assembly, the *Moderator*. This I dare to say, that neither the King, nor His Commissioner, can hinder or oppose the proposing of any thing they think concerneth the Kingdome of Jesus Christ. For this were no *free general Assembly*, and to limit the *holy one of Israel*. Nay if the thing proposed conceived by them to be Spiritual, be so twisted with the things civill, that the ordering or establishing of it may carry along with it a change and distemper in the State and Government, or import danger to the King and Crown; The Moderator, or any Commissioner, hath power to propose it, determine it, and never to consider or reflect upon the danger of King, State, or Kingdome, and that for God and Christ's glory.

The proper, natural, and right President of this Seraphical Judicatorie, is one of the Preaching Elders (although we observed before, how Lay-men, as *Buchanan*, *Melvil*, *Bruce*, have been Moderators) a Lay-Elder now cannot be Moderator. The proper Moderator is a Preacher.

Here is the Legislative power, here is the Soveraignty of Christs Kingdome, here is the highest Tribunal and Judicatory of Christ upon the Earth; from which no person, no office, no condition of creature is priviledged; from it lyeth no appeal.

The King hath no Power to appoint the time or place of this Assembly, but once a year it must necessarily meet. And at the close of every Assembly, the President appointeth the day and place for the next. If any great Exigencie really, or in their fansie intervening, require the meeting of a generall Assembly before the time determined, They indict the Assembly by their own power.

mined, the Commissioners from the Assembly are to make remonstrance of it unto the King.

The vast power of this court.

Whatsoever power the Pope unjustly usurpeth, The Catholick Church, or *her virtuall and Representative*, An œcumenical councell, justly challengeth: this general Assembly vindicateth to it self, only *Authoritative, by way of authority*, within the Church of that Kingdome and Nation; yet *Consensivè, and Charitativè*, to extend to all Neighbour-Churches in the World; whatever it be that concerneth, *fidem, cultum, Regimen*, &c. *credenda, agenda*.

And yet if this infallible Supream Judicatorie would reserve to it self that jurisdiction is due to men in Sacred Orders, and which intrinsecally, radically, and originally is in them *ex vi Ordinis*, although Presbyters intrude upon higher callings, and they place all Ecclesiastical power, at least communicate it to Lay-People, the Prince's condition were tolerable: Nay, if they did only trench upon what is due to Soveraignty, and with which he is invested from God Almighty; which is restrained *ad Externum hominem*, and *Externum Regimen*, although Soveraignty by it be brought into straiter and narrower bounds; a King might be in some poor condition, although Robbed of His Right. But when they come to this, that *in ordine ad spiritualia*, in order to spiritual things, they will give the King Lawes, repeall his Lawes, command and expect performance and obedience, otherwise excommunicate; and if a King neglect that Excommunication, incite inferiour Magistrates, Nobles, and Commons, to bring Him in order, to compell and force him; He is in a worse condition under this Soveraignty, than under the Pope, by how much it is worse to a King to be subjected to an untamed furious Beast, the Multitude, than to the tyranny of One.

Lay-men judges in highest points of faith and worship, &c.

All these Lay-Elders, all these Commissioners from Corporations and Burrowes, are *de jure divino* as fully Judges in all matters of faith, worship, government; Judges of hæresie, idolatry, superstition, of the highest points of Orthodox and Catholick mysteries, of the grossest and subtilest Hæresies, Arianism, Arminianism, Macedonianism, Montanism, Socinianism, Anabaptism, &c. as any man in sacred Orders there; have *vocem deliberativam, vocem decisivam*, have a debating, discussive voyce, and concurre as much with the influence of their voyce to prescribe and give us *Normam fidei, cultûs, politiæ*, a Confession of faith, a prescript for worship, Canons for government and discipline, as ever Bishops had in lawful Christian Councels. (Bishops, limbes and members of Antichrist, are no part of it.)

Now

Now is forgotten that of the Councell of *Chalcedon*, *Concilium Episcoporum est*; and that old Barbarous, but Christian enough verse,

Ite foras Laici, non est vobis locus yci.

I would gladly aske of one of these Rabbies and great Masters in *Israel*, how commeth it that the Commissioners of *Burrowes* sit there, voyse there? Are they too, *de juro divino*, by divine right? If they answer, that such are chosen as are, or have been, Lay-Elders: I rejoyne; the Lay-Elders come in that capacity only, as Commissioners of the particular Presbyteries: These are not members constituents of the Presbyterie in that capacity, that they are, or have been, Lay-Elders; but have right and interest in this high Court in that *capacity* meerly, as Commissioners of Burrowes. Look upon their acts of generall Assembly, and you will find, that it authorizes Commissioners from Burrowes to be parts constituent of this Judicatory, *quà tales*, as sent from the Burrowes.

Commissione of Burrowes are there only in a Lay-cap city.

Again I aske, Seeing you make Doctors one of your four holy Functions Ecclesiastical, constituted by Christ, in what Judicatorie find we them? In Sessions they are not; In few Presbyteries they be; and, if there, in some other capacitie. In generall Assemblies, if any be, they appear as Commissioners from the Universitie, in this capacity only. And many times it is seen, that Professors of Philosophy have been Commissioners of Colledges in generall Assemblies.

We find Doctors no where

Leaving these absurdities, which are monstrously grosse, I come to consider next, what is the Soveraigne power of this high *Sanhedrim*. If they would in Christian moderation assume no more to themselves, but only a *directive power*, and by humble Remonstrances and supplications, with that reverence is due to Soveraignty and Majestie, Petition the King to animate their Acts, Canons, and Constitutions with the influence of his Legislative power, this were fair quarter. But, by your favour, no sooner have they enacted it here, and so soon as it is solemnly *intimated*, which is, by returning to every Presbytery, with it's Commissioners, a Copie of the Acts, Orders, and Ordinances, and by the Presbyterie's order every Minister hath published them in the Parish Church; all things so done are animated with a *Potestative Power*, by the influence these Orders receive from that *Legislative Power* Christ hath entrusted them with in *his œconomical Kingdome*. All then are bound to obedience, if it be in the meanest indifferent thing, nay if this order crosse or repeal a standing Law, all disobedients are liable to all Ecclesiastical censures,

The power which this Sanhedrim assumeth to it self.

and may forthwith be proceeded against, even till they *be delivered over into the hands of the Devil.*

ey are a-ve the ing, and all veraignty.

This *Assembly* is above the King: to them he ought to give an account of His faith; to their Confession of faith He must conform himself; to their orders He must give obedience; otherwise He is excommunicable, deposable. I fear you scarce believe me: yet truly *non verenda retego, sed inverecunda confuto.* I discover not the nakedness, of the Father, the shame of Brother, nor Friend; would to God the tenets and practices were buryed in Hell, and the maintainers regained to God by true repentance, and forsaking their wayes: I discover only things that are past all shame, and which our Church can never own. Sir, if you will hardly believe me in this, let me give you their assertions in this case, and their conformable practice.

f they cannot form by the ing, they ay by any o-er means e.

It is their constant Catholick Tenet, that if the King, Queen, Regent or Protector, or whosoever he or she is, in whose Person Soveraignty is fixed, or in whose Person it is representatively fixed, only by a fiduciary trust, during the non-age of the Prince or Princess; will not submit himself to this holy Scepter, will not, according to its prescript, reform Religion, preserve it in its integrity, any man or men are bound to do it at their direction. I spare *Martin Junior's* faith in this, that there is no authority above the Brotherhood. "No *Magistrate (saith he*, Thes. 17, 18, 22.) *may lawfully maim* "*or deform the body of Christ, which is the Church; no lawful Church-*"*Government is changeable, at the pleasure of the Magistrate; of ne-*"*cessity all Christian Magistrates are bound to receive this Government.* Nor will I insist upon *Vigginton's* assertion; That "*What the Holy Bro-*"*therhood cannot obtain by suit and dispute, the People must bring it to pass.* "You desire the tenets and practices of the Church of *Scotland* only.

eligion may reformed or eserved by olence.

The *Scots* maintain, that if the King, or Queen, will not reform Religion, they may take upon them by violence and power to reform it. This they have learned of their Grand-father *Knox*, as you may read in an Epistle of his, written from *Diepe. Anno* 1557. And *Knox Histor. pag.* 213. What is lawful for Reformation, is lawful for preservation of Religion.

f the King ill not, the Nobles may.

1. And here they begin with the Nobles: and determin right down, *Noblemen ought to Reform Religion, if the King will not. Knox, app.* 25. Again, *That God hath appointed the Nobility to bridle the inordinate appetites of Princes, and in so doing, they cannot be accused, as resisters of authority,* Knox; Hist. 343. And, *That it is their duty to repress the rage and insolency of Princes.* Knox, app. 33.

2. In

2. In the second place, if the Nobles will not do it, *The People and Commonalty may reform Religion, at the order and direction of the Brotherhood.* Knox, *to the Commonalty.* fol. 49, 50. *The Commonalty, by their power, may bridle cruel beasts*; (They mean Priests and Prelates) *Knox to the Commonalty.* fol. 55. *The Commonalty may lawfully require of their Soveraign to have true Preachers; and if he be negligent, they may themselves provide them, maintain them, defend them, against all that do persecute them, and may detain the profits of the Church-livings from the other sort*; That is to say, Priests, Papists, Prelates, and Malignants. *Knox Com. fol.* 55.

If neither King nor Nobles, the people may.

3. In the third place, if they come to the happiness to have Nobles and Commons obedient to their commandements, for reformation, or preservation of true Religion (which must be so as they fansie) I am deceived, if they allow not more violence and esteem it more piety, zeal, and justice. Their Tenets are; *The Commonalty concurring with the Nobles, may compel to cease from their tyranny.* Knox to the Commonalty. fol. 47. Again, *The Nobility and Commonalty, ought to reform Religion, and in that case may remove from honours, and may punish such as God hath condemned*, Deut. 13. *Of what estate, condition, or honour soever.* Knox, app. fol. 28, 30.

If Nobles and Commons joyn, there is hope of some greater success.

4. In the fourth place, if the Nobles will not joyn with the People or Commonalty in the reformation, or preservation of true Religion, at the direction of the Ministery, the inferior Magistrates may, and should do it. *Knox. Hist. p.* 217.

Inferior Magistrates and people may joyn.

5. In the fifth place, before so good a work be not done, if Nobles, or the whole, or greatest part of the Commonalty will not be obedient, assisting, and aiding to so good a work; Every individual man and person is bound to advance this good work, to kill Papist, Priest, Prelate, Malignant; nay, a King, if He stand out an Enemy to God, and Christ, and cannot otherwise be reclaimed, or removed, nor by suit, or dispute gained to the right way, (I dare say, their doctrine leads to this) see *Knox app. fol.* 30. where roundly he saith, *The punishment of such crimes as touch the Majesty of God, doth not appertain to Kings and chief Rulers only, but also to the whole body of the People, and to every member of the same, to revenge the injury done against God.* Again, see him fol. 35. *The People are bound by oath to God, to revenge, to the utmost of their power, the injury done against God's Majesty.* To this purpose they alleadge the examples of *Phineas*, who in his zeal killed the Adulterers: Of *Ehud*, who in the same zeal killed *Eglon* in his private Chamber, (remember he was a King): Of *Jael*, who killed *Sisera*: of *Matathias*, who in zeal killed a Jew for committing

Every Individual in this good work, may, and ought to the utmost of his power, to intend and endeavour Reformation;

of

of Idolatry; and who in the ſame zeal at the ſame time killed the King's Commiſſioner. Sir, put theſe things together, and ſee, where this Soveraign Supream Eccleſiaſtical Judicatory hath ſuch dominion and power over mens Conſciences, that being directed by their Miniſtery, they are bound to do to the utmoſt of their power for reformation and preſervation of Religion, What ſacred Perſon of any King can be ſecured? What man offending againſt the Majeſty of God (which is as they fanſie many times) may not be taken away by one like to a *Revilliack*? What Commiſſioner or Counſellor of the King but in doing his beſt ſervice to his Maſter, he may be ſtoned like to *Adoram*, and all this go in popular eſteem currant for good ſervice and extraordinary zeal to God and his Cauſe.

6. In the ſixth place upon thoſe grounds, Covenants and Confederacies come in to ſtrengthen all, to joyn purſes, perſons, wit, and ſtrength, *Contra omnes mortales, Regiâ Majeſtate non exceptâ*, againſt King and Biſhop, Prince and Prelate, to the defence of the good cauſe; with a combination, every one to be aiding, aſſiſting and maintaining one another in ſo good a cauſe.

7. In the laſt place cometh their Orders for reformation or preſervation, and that by themſelves and the collective body, or any aſſociates whatſoever, without reſpect, reverence, or obedience to the Soveraign authority of the Prince.

The practice is clearly ſeen in Mr. *Knox* his proceedings, for after that by his Letter, which we mentioned before written to *Scotland*, *Anno*, 1557. from *Diepe*, and otherwiſe, he had infuſed the above named principles into many, an oath of confederacy was taken amongſt them, and ſubſcription under their hands to ſome agreement. This gave life to that tumultuary Reformation, much ſtrength being added to it, by the concurrence of the Sacrilegious, hoping thus to ſwallow up the Church-revenues, which is more than certain was againſt *Knox* his mind, and the firſt Reformers. As we deplore great loſſes the Church had by this reformation, and do thank God heartily for his admirable bounty and mercy in the good of truth we got by it yet we will never wrong Reformed Religion ſo much as to account of that as an orderly Reformation; we deny not, but it was attended with much Sedition, Faction, and Rebellion.

Anno 1558. without the authority of Soveraignty, nay, without the knowledg of it, theſe Confederates, at the direction of their Miniſtery, preſcribed Orders for Reformation of Religion to be obſerved and practiſed throughout the whole Kingdom. See *Knox* ſtory, *p.* 217. 2. 8.

They

They go farther: they writ an Imperious Letter, to the Religious houſes, in the *name of the Congregation*, commanding all of them to remove from thence againſt ſuch a day, or then they would eject them by force. *Knox*, ibid. They charge their adverſe party to obey their Orders.

Within very ſhort time after, a Parliament being holden by the Queen Regent, (Queen *Maries* Mother, and great Grandmother to our gracious Soveraign) they make a Proteſtation, that except they had their deſires, they would go on in their intended courſe of Reformation; that neither they, nor any that joyned with them, ſhould incurr therefore any danger in life, or lands, or other Civil Penalties; and that if any violence hapned in perſuit of thoſe matters, they ſhould thank themſelves. It is very obſervable, they were all bound in that confederacy to aſſiſt and ſtrengthen each other in that courſe. See *Knox* Hiſt. pag. 256. Firſt, here you have the Direction of the Miniſtery. Next you have a Confederacy and bond of mutual defence. Thirdly, you have Orders and Decrees agreed upon in common. Fourthly, you have Warrants iſſued out to make or force all to be put in execution. Fifthly, you have a Proteſtation, and that a threatning one too, againſt the Queen Regent and whole Parliament. Sir, are thoſe things conſiſtent with Monarchie? what Scripture? what Father? what practice of the Church doth warrant ſuch a Reformation? They proteſt againſt King and Parliament.

Come on, and you ſhall have them anon in open contemning Soveraign Authority. The Queen Regent, to ſuppreſs theſe beginnings, and to nip them in the bud, cites them to appear at *Stirling*. They appear not, They are out-lawed: all men under pain of Treaſon are inhibited to aſſiſt them. There is no obedience, but all in the confederacy adhere to them. I cannot, for my part, juſtifie this Divinity. They contemn Soveraign authority.

From diſobedience and contempt, they are guilty of uſurping the Royal power: for very ſhortly after, *Anno* 1559. immediately after a Sermon Preached by *Knox* in *Saint-Johnſtown*, at his exhortation and direction, they fall to the pulling down of the Religious Houſes, and within two or three dayes equal three of them to the ground. Sir, Can it appear that by Holy Writ, or Reaſon, ſuch Popular tumultuary reformations are warrantable? Is it not intrinſecally inherent in the Crown, or whereſoever Soveraignty is fixed? And ſo they proceeded in *Fife*, *Angus*, *Mornis*, *Stirling*, *Lowthian*, *&c.* and through the whole Kingdom. See *Knox* Hiſt. p. 263. Here were many goodly and rich Churches ſpoyled, robbed, and caſt down. They uſurp Royal power.

They renounce their lawfull Soveraign.

After this they diſclaim Soveraign Authority, except it be as they pleaſe, and have their deſires. The Queen Regent threatned St. *Johnſtown*, where this diſorder was firſt acted. They of the Confederacy writ to her in plain tearms, "*That except ſhe ſtayed from that* "*cruelty, they ſhould be compelled to take the Sword of juſt defence; and pro-* "*teſted, that, without the Reformation which they deſired, they would never* "*be ſubject to any mortal man.* See *Knox*, pag. 265.

They command all the Brotherhood to be aſſiſtants.

More followed. By a Letter they cite all their Brethren to repair unto them; and that you may know that their Letters were Authoritative Commands, and that all the authority is from the *independent Soveraignty of the Church*, conſider how they write to the Nobility, upon pain of Excommunication to joyn with them, *Knox* ibid. *pag.* 268, 269, 272.

They are obeyed. the Queens Herald is abuſed.

How much this Eccleſiaſtical Soveraignty did exalt it ſelf above the Civil, is more then apparent in this, that when an Herald in his Coat of Arms, commanded all men under pain of Treaſon, to return to their houſes, by publique ſound of Trumpet in *Glaſgow*; no man obeyed that charge, but went forward to their aſſociates, *Habes confitentem reum* Knox, pag. 274.

They denounce warr againſt their adverſaries.

They denounce Warr too, which was ever judged to be the peculiar ſpecifick Prerogative of Soveraignty, for they writ to the Biſhops and Clergy, *That except they deſiſted from dealing againſt them, they would, with all force and power, execute juſt vengeance and puniſhment upon them: and that they would begin the ſame warre, which God commanded Iſrael to execute againſt the Canaanites.* Which manner of proceeding, they termed a reſiſting of the Enemy, *Knox Hiſt.* 275, 276.

They will hear of no peace, but enter into a Combination for mutual defence.

The poor Queen Regent was brought to an Accommodation, and the Aſſembly at St. *Johnſtown* was diſmiſſed. But at their parting, they entred into a League by Oath, that if any one Member of their *Congregation* (this in the *Scottiſh* is equivalent to *Eccleſia*) ſhould be troubled, they ſhould all *concurre, aſſiſt, and convene again together, for the defence of the ſame*, Knox, pag. 283.

The Queen Regent finding this Soveraignty overbear Her's, and the Peace of the Kingdom ſhaken, by a Declaration publiſhed and proclaimed, teſtified her deſire of Peace, and deſcended ſo much, that really it was only a Requeſt. They ſcorned it, would none of it, confuted it by another, did exhort thoſe of their Faction to *encourage themſelves in the Lord*, to ſtand upon their guard like to the re-builders of *Hieruſalem* and the Temple, with the Sword in one hand, and the Bible in another, wherein they gave the Queen many times the

Lye,

Lye, and abuſed her with reproachfull and contumelious ſpeeches. The Subjects that continue their obedience are honoured with no better tearm then to be called *The Queens Faction*. You may read this at leiſure and pleaſure in *Knox Hiſtory*, pag. 330, 333, 362, 364. Nay, they renounced their obedience unto Her, proteſted that whoſoever ſhould take Her part, *ſhould be puniſhed as Traitors, whenſoever God ſhould put the Sword of Juſtice into their hands*, Knox Hiſt. p. 364.

At laſt they riſe to the higheſt pitch of Rebellion, and *Anno* 1560. they depoſe the Queen Regent, the pre-determination being given, that it was lawfull for them to do ſo, by Mr. *Knox* and Mr. *Wilcocks*. This is upon record yet in that Kingdom, and is ſet down by Mr. *Knox* himſelf, *Hiſt. pag.* 372. 378. And it is obſervable, that the Queen, if I remember right, lived but a moneth, or little more, after this pious act. They depoſe the Queen Regent.

Sir, you will now ſay, that I ſpeak too hardly of our firſt Reformers and Reformation, and would know, What is my opinion of them and it. To deal clearly, God is my witneſs, I am no Papiſt, but do abhorre Popery as much as any, and that I am no Puritan the other party will witneſs for me. I am bound to ſpeak the truth in my heart: and, to give ſome ſatisfaction, I ſay, 1. Firſt, as I am able, I bleſs and praiſe God moſt heartily, that we were delivered from the Popes Tyranny, and that groſs *Ægyptian* darkneſs we were under: which I aſcribe to the admirable wiſdom, and infinitely tranſcendent goodneſs of God. 2. Next, I leave the men to God's mercy; but for the manner of proceeding, the way they took, I dare not, I will not approve it: but will ſay with *Jacob*, *In concilium eorum ne veniat anima mea.* 3. Thirdly, I daily, heartily, bewail that, that too too much Idolized Reformation in an exceſſive hatred againſt Popery, did run too much to the other extream; that the goodly Order and Government neceſſary of the Church was ſhouldered out; the publick Service and Worſhip of God, with it's decency, reverence and comelineſs, was much defaced, diſgraced; that goodly, ſtately and rich Churches, were abuſed, robbed, and equalled to the ground; and that the Church Patrimony was dilapidated: And yet this was not ſo much done by the firſt called Reformers, as by their Diſciples, *Ætas parentum pejor avis.* The Author's modeſt opinion of that is called the firſt Reformation of *Scotland*.

It feareth me, beſides that God is puniſhing our preſent ſins, that, by this ſcourge, which is guilded with the ſpecious, but ſpurious compellation of a *glorious, thorow, ſecond-Reformation*, he is in the ſame juſtice puniſhing the ſins of that firſt Reformation. For my part, I

judge verily, that Church had never an orderly and warrantable Reformation, till it was happily begun and advanced by King *James*, when he took the Government in his own hands, and was like to come to a great perfection under the Government of our moſt gracious Soveraign King *Charles*. Although I deny not but the ſeeds of truth were ſown by *Hamilton*, *Wiſeheart*, *Mylne*, and others, who before *Knox* his time did preach truth, caſt down the errors of *Rome* in the peoples hearts, were far from ſtirring up the Subjects againſt lawfull Authority, and like the ancient Martyrs, did ſuffer patiently and ſeal the truth of the Goſpel with their blood. If *Knox* and his Complices had kept in this way, I am certain that Church had been more happy; nor had we ſeen ſuch robbery and deformity in the Church. Sure I am, great, many, and more then ordinary ſins, in them, and us, and our forefathers, have brought us to be plunged in theſe almoſt inextricable miſeries: And till we proportionably repent, we cannot look to ſee better dayes, what is disjoynted in State ſet aright, and the beauty of God's Houſe reſtored; Which God of his mercy grant to us, for his only Son Jeſus Chriſt.

By what is ſaid, it appears ſufficiently, that this *ſpiritual Soveraignty* is far above the King's Crown, and what we undertook, to make their practices prove their tenets, is more then evident: only one thing reſts to be proved, that this Soveraignty may authorize any and every private man to do to the utmoſt of their power for the Reformation of Religion, to plunder, kill, *&c.*

Practice of miſchief done by private men, & commended by them.

Sir, I referr you to Mr. *Knox* hiſtory of the Church of *Scotland*, pag. 143, 144, 145. where relating how *Cardinal Beaton* Archbiſhop of Saint *Andrews*, (a man whom I juſtifie not, neither commend much) was killed by *Norman Leſley*, *John Leſley*, *Peter Charmichael*, and *James Melvil*, in his own houſe the Caſtle of Saint *Andrews*, who were all only private Gentlemen; and if you will truſt *Buchanan*, the cauſe was a jarre betwixt *Norman Leſley* and the *Cardinal*; upon *Knox*'s faith, the quarrel was, the killing of Mr. *George Wiſeheart* (a good man undoubtedly.) The *Cardinal* could have no mercy, although he cryed pitifully for it, ſaying, *I am a Prieſt, ye will not ſlay me*; *Knox* I ſay, relating this hiſtory, commends the fact of *James Melvil*, killing him with grave and pious words in his mouth, as a godly fact. The ſum of the ſtory is, when they entred the Cardinal's chamber with ſome ſixteen or ſeventeen more, *John Leſley*, and *Peter Charmichael*, fell violently and paſſionately on him, but *James Melvil* with gravity and piety withdrew them, and ſaid: "*This work and judgement of*

"*God*,

"*God (although it be ſecret) ought to be done with great gravity.* And pre-
"ſenting unto him the point of the Sword, ſaid, *Repent thee of thy for-*
"*mer wicked life, but eſpecially of thy ſhedding of the blood of that notable*
"*inſtrument of God Mr.* George Wiſeheart, *which albeit the flame of*
"*fire conſumed before men, yet cries it a vengeance upon thee, and we from*
"*God are ſent to revenge it. For, here before my God I proteſt, that neither*
"*the hatred of thy perſon, the love of thy Riches, nor the fear of any*
"*trouble, thou couldeſt have done to me in particular, moved, or moveth*
"*me to ſtrike thee: but only becauſe thou haſt been and remaineſt an*
"*obſtinate enemy againſt Chriſt Jeſus and his holy Goſpel.* And the meek man of God, as he is there termed, ſtroke him twice or thrice thorow with a ſtog-ſword; and he fell. I give all this, that *James Melvill* did this in revenge of Mr. *George Wiſeheart* being ſlain by the Cardinal; what Divinity will warrant this fact of *James Melvil's* to be a good and godly fact (for ſo it is noted in the Margent) to a private man to murther or kill thus a Prieſt, an Archbiſhop of ſo high dignity? The reſult of all is, he did it gravely, in cold blood, told him ſo much, that he was ſent from God, he had no private end; the motive ſtirred him up to this godly fact, was, that he had been and remained at that time an enemy to Jeſus Chriſt and his holy Goſpel; he exhorted him to repentance; and for all his great ſins, as *Knox* writes the ſtory, he allowed him no more time, but ſo much as was ſpent in his Godly Harang: for immediately after, he was twice thruſt thorow. But thoſe Seraphical Doctors know, *Neſcit tarda molimina Spiritus Sanctus*; and the ſpirit can work ſuddenly, *Inter os & offam; Inter Pontem & Fontem*, eſpecially where and when they are ſent of God to do ſuch great good works. But this is *proteſtatio contra factum*: Whatever Mr. *Melvil* ſaid in his Proteſtation, *Knox* doth witneſs, that the Cardinal being murthered, they ſeized upon *the Artillery and Ammunition, wherewith that Fortreſſe was plentifully furniſhed, and likewiſe upon the rich hangings, houſhold-ſtuffe of all ſorts, Apparel, Copes, Jewels, ornaments of Churches, great ſtore of Gold and Silver-Plate, beſides no ſmall quantity of treaſure in ready Coyn.*

I could inſtance ſome practiſes about the time of the Parliament in *Anno* 1621. commonly called the Marqueſs of *Hamilton's* Parliament, but becauſe that will only reflect upon ſome particular perſons, I paſs it willingly and wittingly.

It is moſt certain, when the pious and learned Doctors of *Aberdeen*, did demand of the Patriarchs of this late Covenant, why they did not by Preaching, Printing, Cenſuring, or ſome reall deed, expreſs

their deteſtation of that horrid fact done by the Raſcally-rout of *Edenburgh* the 23. of *July*, 1637. where, at the firſt reading of the Service there, a great many Biſhops being in the Cathedral Church, the Serving-women roſe barbarouſly within the Church, did throw their ſtools at the Biſhop of the place, and the Dean, who was officiating; did cry out moſt horribly, that the Maior, Aldermen, and others within, could hardly compoſe it for a long time; and the worſt and baſeſt of the People, who were without, did throw in great ſtones at the glaſs-windows, the dores being ſhut. After the ariſing of the commotion, to prevent more tumult and danger, and when Service and Sermon were done, the Biſhops, Maior and Aldermen going home with the Lord Chancellor and ſome BB. attending his Grace, the Biſhop, and Dean of *Edenburgh*, with others, were well nigh ſtoned in the ſtreets: when, I ſay, it was demanded of theſe Apoſtles, why they did not condemn this unchriſtian barbarous outrage, voyd of Piety and Reaſon, and without any example in the Chriſtian Church, the ſum of their anſwer was, and to this day is, That ſuch a zealous people were to be left to their own warrant, they knew not by what Spirit they were governed, God worketh great works many times by baſeſt means: and yet thoſe Nobles, thoſe zealous, thoſe intelligent and knowing Chriſtians (whereof many of them in *Edenburgh* were known Coal-ſtealers and Whores) were the firſt *active Inſtruments in this glorious Reformation.* I confeſs, this Divinity is ſo tranſcendent and Metaphyſical, that it exceeds my capacity, and is ſo fruitfull upon any occaſion to work all or the greateſt of miſchiefs, that I do not ſee how it can conſiſt with peace or ſafety of King, Kingdom, Church, or of any entruſted with greateſt truſt in Church or State. Sir, I believe any rational man may ſee by this, how ſuperlatively this ſpiritual Signory is above King and Royal Soveraignty. I leave it to your own judgement and memory to recollect it, and to bring home the concluſion, that this Government Eccleſiaſtical is inconſiſtent with Monarchy, with the Peace of a Kingdom, and is, or may be, in time, a Mother and Nurſe of as much Rebellion and Treaſon, as any Jeſuitiſm of the higheſt dye, if not more. Certainly, *Rome*, although a Whore, and hath a cup of abomination in her hand, is not ſo bad nor ſo abominable; I pray God to keep all good Chriſtians clean of both.

Let us go on; In Faith, Worſhip, and all ſpiritual things, they vindicate to themſelves ſuch a Soveraignty, that *King*, *Council*, *Parliament*, nay all together, muſt not touch the Scepter of Chriſt: they

are

are to determine, define, take cogniſance, accuſe, ſentence, puniſh; neither King, nor King and Council, nor King and Parliament, all, muſt aſſume power here; for otherwiſe, it is to intrude upon Chriſt and his Right.

This Soveraignty is of ſo high a ſtrain, ſo large an extent, that when they have decreed any thing in this ſupream infallible Judicatory, that they may have the better obedience, to demand the King and Parliaments approbation; this is not demanded as a thing arbitrary, which the King and Parliament may do or not do; or leaving it to his Royal judgement with the advice of his Parliament, to qualifie or rectifie their Decrees, and Orders; No, no truely; that is to betray the truſt Chriſt hath given them, they need not ſupplicate or petition for it, it is in them but an act of courteſie to ſhew dutifull obedience. And if the King and Parliament will not grant it, they are armed with as much power from Heaven, as to force them to do it, by Excommunication, and making all good Chriſtians joyn with them in God's Cauſe.

When they demand the Royal confirmation of their decrees, it is only an act of courteſie.

Sir, I fear you think I ſpeak Liberally. God forbid I ſhould do it. I doubt not but you have read the *Scottiſh* Pope's Sermon Preached at *Weſtminſter*, and Printed by Order of the Houſe: ſince you have it, I will not ſpend time and Paper to cite his words, which giveth to the King no more. But to make this appear, I give you ſome unanſwerable reaſons. 1. It is certain in *Scotland*, Mr. *Knox* and his Complices ſet on their Reformation without the Queen, or Queen Regent's authority, or the authority of Parliament. For *Anno* 1558. they made their Confederacy; gave out their Orders for Reformation throughout the whole Kingdom. *Anno* 1559. they acted their Reformation, by caſting down Churches, Abbyes, *&c.* caſting out Prieſts, Fryers, *&c.* and all this by their own radical and original power. Queen *Mary* their true and lawfull Soveraign did authorize them in nothing, ſhe was then in *France*. The Queen *Dowager*, Queen Regent, King *James* the fifth's Widow, having the Soveraignty by fiduciary truſt, in regard of the abſence of the Queen her daughter; did not authorize it, nay ſhe did by her authority oppoſe it, contradict it, came in Arms againſt it. The Parliament was not till the year 1560. (how holden for the preſent I cannot tell) but in that Parliament they ſet out a Confeſſion of Faith, reformed Religion: but when they ſent to King and Queen beyond Seas (Queen *Mary* was then married to *Francis* the ſecond in *France*) to confirm or ratifie the Acts thereof, they denyed. When intelligence was given to the Confederates, they

An inſtance, *Anno* 1559.

pro-

profeſſed they little regarded the denyal of King and Queen; for, ſay they, (*Knox Hiſt.* pag. 500.) *All we did was rather to ſhew our duitifull obedience, then to legge of them any ſtrength to our Religion.*

Another inſtance, *Anno* 1571.

Another in this kind you have; In *Anno* 1571. King *James* then being King, and the Earl of *Marre* being *Regent*, an Aſſembly, was holden at *Leith*, where, by the Order of the Aſſembly, and Ordinance of the *Regent* and Council, ſome Commiſſioners were appointed from the *Regent* and Council, and ſome from the general Aſſembly to condeſcend upon a *platform of Diſcipline*, which was agreed to on both ſides. The *platform* is, that the Government of the Church ſhall be by Archbiſhops, Biſhops, Deans and Chapters, *&c.* The order and courſe of all their Nomination, Election, *&c.* is juſt conform to that in *England* at this day, and as it was in *Scotland* before this *new happy Reformation*. This was enrolled in the Councel-Books of that Kingdom, and ſtands there to this day: this I know certainly, and if I be not deceived, and almoſt I dare ſay it, except they have wronged their moſt famous, and their moſt ancient Councils, the platform is upon Record in the *General Aſſembly-Books*.

Give me leave to tell you by the way one thing, that the *Negative Faith*, which is *ſine rugâ, ſine maculâ*, was framed, *Anno* 1580. and it is believed, that in that Negative Faith, Epiſcopacy is abjured, as Antichriſtian; yet *Anno* 1581. this ſame Government is renewed, ratified, and ordained to continue conſtant, and not to be changed till his Majeſty come to perfect age, and to be kept or changed then only in what he and his great Council, the Parliament, ſhall think fit, and not otherwiſe. Before this, the King, his Houſhold, and Council, had ſubſcribed the *Negative Faith*; can any man, not void of judgement and diſcretion, think, that the King, his Houſhold and Council, in ſubſcribing it, did judge Epiſcopacy Popiſh and Antichriſtian?

Next, it is worth your notice-taking, that as I honour the good parts which were in *Knox* and his fellow-labourers, I never accounted them as Apoſtles, men ſecured from error; yet I will ſay ſo much for their juſtification, that they were greater Enemies to Sacriledge than their after-diſciples; and were not againſt the Order of Epiſcopacy, as Popiſh and Antichriſtian, as Mr. *Andrew Melvil* and his diſciples afterward maintained. Nor were they ſo fooliſh, to ſeclude all Church-men from voyce in Parliament: only their deſire was, that ſeeing the Popiſh Biſhops were allowed to enjoy their Benefices and Rents during their life-time, (this was more then our charitable glorious Reformers allowed to their Proteſtant Biſhops now) with all

all other Priviledges except ſpiritual Juriſdiction, that they ſhould not ſit in Parliament as the *repreſentative of the Church*, but in their places ſhould ſit the *Superintendents and Commiſſioners of the Church*. Which indeed were ſomewhat like to Biſhops, but reſembled more Arch-Presbyters than Biſhops.

To return again thither from whence we digreſſed; After that this platform of diſcipline was ſo agreed and eſtabliſhed, as we told before, Mr. *Andrew Melvil* comes to *Scotland* about the year 1574, or 75. *ultrò-citra*. This man, a good Hebrician and Linguiſt, and full of the *Geneva Talmud* which was now more refined, beginneth to ſet Presbyterian diſcipline higher, to make a *ſecond book of Policy*, or *devout Imaginations*, acknowledgeth no more Orders in the Church then the Four above named. A Biſhop was no more in Scripture but the ſame identically with Presbyter. And where Abbots and Priors to his time were nominated and admitted to the Abbies and Priories as Churchmen, gave their trialls and were *collated* (as they ſpeak) by the ſuperintendents; This great Doctor found out another Divinity, that there was no Biſhop but a Pariſh Prieſt; Scriptures for Abbots and Priors there were none ſuch in God's book. At this time, and, from that they call Reformation to this time, there was no Biſhoprick nor Abbie annexed to the Crown, and conſequently not impropriate to any Subject. It is true, Laymen held them *in commendam* by the King's gift, but as men able to do the King and Church good ſervice; and before their right could be completed or perfected, they were to return to the King from the Superintendent a *collation* or certificate, that he was of that ability to do good ſervice to the King and Church. Men ſacrilegiouſly diſpoſed graſped greedily this doctrine, and thanked God that their names as *Abbots and Priors were not in the book of God*. And to have theſe Church-livings and dignities with Biſhopricks annexed to the Crown, and from thence to impropriate them to them and their heirs, they deified Mr. *Melvil*, and contributed their beſt wits and uttermoſt power to raiſe Presbyterial government higher. And by the *ſole authority of that they call the Church*, they began, without the King, Councell or Parliament's conſent or authority, to diſtribute the whole Kingdome into ſo many Presbyteries, as they thought fit in their diſcretion and by the direction of the holy Spirit: and did procure private ſubſcriptions to their new Book of Policie, and put it in practice. Sir, I hope you are the more apt to believe this, becauſe you know in *England* the *diſciplinarians* in *London*-meetings debated

They ſet on their Diſcipline by themſelves.

and established their orders, in secret and not-warrantable Conventicles, and much about the same time; and great correspondence was entertained betwixt the Scots and the English at that time. How that book of Discipline was practised without any authority, in *Surrey* and *Northampton-shire*, and other places, you know well enough.

Now I pray you, When, without Authority, by their own inherent radical Right, they make Orders, reform, establish a Discipline, Do these men imagine, that the concurrence of Christian authority-Soveraigne is absolutely necessary? or that their demand is any thing else but an act of courtesie, when by themselves and assistants they may establish and practise it?

This second Book of Policie, Master *Melvils* reformation, is the *Epocha* of our second Reformation. The fruits of which I will tell you were, the Annexation of all Bishopricks, Abbeys, Priories &c. to the Crown, which was effectuated *anno* 1587.

If you will cast your eyes upon *the third glorious reformation*, that makes the Popes knees shake like *Belshazzars*, when he did see the hand-writing on the wall, (that is, if we will speak truly, this deformation which is the disgrace of reformed Catholike Religion, and which threatneth Church and Religion, King and Kingdom with ruin) you will find these men have sung a note above *Ela*, have ordered and practised more then all that went before them. *Hanc movere nolo Camarinam.* I hope, a better wit and more elegant and eloquent pen, shall sometime Anatomise this Monster, and so lay it open to the view of the world, that it shall appear to be no true brood of the Reformed Catholike Protestant Religion.

All must Preach as they direct.

2. Secondly, another argument to prove that this Superlative Soveraignty *in spiritualibus*, hath all its most natural Subjects at its devotion and obedience, is this, that what they command to be Preached, must sound alike in all their Synagogues. And whosoever he be that is the Minister of the King's family, he must Preach the same. There is no coequal, corrival, or co-ordinate power that can do so much as *intercedere* make the least sort of crossing, opposing, or interposing. Is it not known that the *Kings Minister* in *Scotland*, at the direction of this *Conclave*, when his Councell have been to meet frequently for Treaty with Ambassadors from forraign Kings, upon the Lord's day or Week-daies Sermon before the meeting, ἐν παῤῥησίᾳ, *in great freedom of the Spirit*, hath told him all the Counsell of God from Heaven, with a denunciation of Judgments if he

swerve

ſwerve from it. And if the King had gone to the Church of *Edenburgh*, a Beardleſſe boy had told him more ſound wiſdome from Heaven, how to article and conclude in matters of Higheſt concernment betwixt him and *Spain*, or him and *France*, than all the wiſeſt Councellors and greateſt Nobles in the Land: and this, forſooth, muſt be the King and Councell's rule.

3. Thirdly, doe they not challenge to themſelves the ſole power to appoynt publike faſts, to give the reaſons of it, which ordinarily are, that Gods judgments are incumbent and imminent upon Church and Kingdom, for the ſinnes of the Governour and Governours, and that the Government is amiſſe. And the conſequent or effect of theſe faſts is, too too frequently and ordinarily, ſome Commotion, Sedition, Rebellion, or, at leaſt, ſome change of Court, Councel, or Seſſion. They appoint publike Feaſts.

I cannot here paſſe by a ſtorie as true as ſtrange. While King *James* was in Scotland, two French Ambaſſadors had remained ſome months there with Him: being ready to depart and take their leave of the King, the King for His own and the French Kings greater Honour, ſent on a Saturday for the Maior and Aldermen of *Edenburgh*, commanding them the very next Monday to Feaſt the French Ambaſſadors. The Miniſters of *Edenburgh* to affront the King, and the King of *France* too, on Sunday intervening indict a ſolemne faſt to be kept to morrow on Monday, the day appointed the Saturday before by His Majeſty for the entertainment of the Ambaſſadors. The Magiſtrates of *Edenburgh* proudly contemne the command of the ſupream ſpiritual powers, and, out of carnall affection, feaſt the King and the French Ambaſſadors Royally and Nobly on Monday; When the Miniſters and the good Chriſtians of *Edenburgh* faſt, the King, the Ambaſſadors, and Magiſtrates of *Edenburgh* feaſt, *ô facinus horrendum!* But to avert Gods judgment from the Land, the Maior and Aldermen were cited and convented (here was ſome favour that the King and Ambaſſadors were not; but, I will tell you, it was partiality and corruption, for ſome of the Miniſters were the Kings Penſioners, and this kept the King free) to be cenſured for their high Scandall in contemning ſo ſolemn a Faſt. There was much work: but the King who was the chief and almoſt ſole tranſgreſſor, with interpoſed delayes, and much ſollicitation and prudence, took off the edge of their zeal, and the purſuit ceaſed. A ſtrange affront offered to King *James*.

4. That this Aſſembly is Soveraign in *all Spirituals*, admits no

Co-ordinate or Coequall power, farre leſſe a ſuperior, is cleer in this; That if any Preacher be charged before King or Councell for any offence to be puniſhed, if they in any caſe can cloath it with a ſpiritual reſpect, or circumſtantiate it ſo, that it may be qualified for the Spiritual High Sanhedrim, the party cited and convented, may and ought to appeal to the *General Aſſembly, as to the Judge competent.* Mr. *Andrew Melvil*, if I be not deceived, was the firſt Spiritual Councellor of Law, that taught this way. It is certain that what they Preach in Pulpit is not cenſurable by King, Parliament, nor Councell, or any Judge or Judicatory elſe. There be two reaſons for it: one is, that *Spiritus Prophetarum ſubjecti prophetis*, the ſpirit of the Prophets are ſubject to the Prophets only, 1 *Cor.* 14. the t'other is, whilſt men are there in that infallible pulpit, they are ruled by ſome ſuperior good ſpirit; and they dare not blame or condemne them, leſt they ſhould offend and ſinne againſt the Spirit: and ſo although a man Preach downright-Treaſon, if it be in this place he is priviledged. It is known, and, I hope, yet remembred, that after *King James* of bleſſed memory *anno* 1584. made many good Lawes to curb the Inſolency of Miniſters; did by Statute and Act of Parliament declare His Supremacy over Eccleſiaſtical Perſons and cauſes; condemn all Judicatories in uſe which were not by his own authority eſtabliſhed; (He meaned the Presbyterial); That the Miniſters then did importune the King to repeal them: and when that would not doe, did they not fall at laſt into open railing againſt him in pulpit, as *an enemy to Chriſt and his Kingdome*? They diſperſed through the Kingdome infamous libels againſt his Perſon and Royal Honour: they branded him as an Apoſtate from the truth, and reviled him as an offſpring of the cruel and bloody houſe of *Guiſe*. This forced the King to put out a Declaration *anno* 1585. in print yet extant, to vindicate himſelf and his Honour from that unchriſtian and more then diſloyal calumnies. At or about the very ſame time ſome fugitive Miniſters out of Scotland, pretending they were perſecutors, did in the Pulpits of *London*, with their fowle mouths, raile againſt His Majeſty, the wiſeſt and leardneſt of Kings: ſo that the Scottiſh Ambaſſador was forced to complain to Queen *Elizabeth* of it; Her Majeſty gave preſent order to the Lord Biſhop of *London* then, to ſilence all the Scottiſh Preachers there.

None Preaching Treaſon is cenſurable by any but by them.

Now that this Sanhedrim is only competent Judge in *Spiritualibus* and that one convented before King and Councell, may decline His

and

and the Councel's authority, although he hath preached Treaſon, appeareth clearly.

1. Firſt, if this had not been an ordinary practice before this time what needeth the making of that Act of Parliament, *Anno* 1584. declaring it Treaſon, in all times to come, to decline the Power and Juriſdiction of the King and His Councel? 2. Secondly, has not *James Gibſon* Miniſter at *Pencaitland* witneſſed for or againſt himſelf rather, in this caſe, in Print? who publiquely in his Preachings compared His Majeſty unto *Jeroboam*, told him He ſhould be the laſt of His Race, reproached him as a Perſecutor; and much more of this zealous ſtuffe. Who being convented before the King and Councel, and accuſed of thoſe pious crimes, he with that boldneſs becometh His Order, juſtified all, ſaying to his Majeſty, *As long as you maintain theſe curſed Acts of* 1584. *the tyranny of Biſhops, you are a Perſecutor. And adds, that as* Jeroboam *for the leading of the people of* Iſrael *from the Laws of the houſe of* Judah, *and from the true worſhip of God, was rooted out, he and all his poſterity: ſo ſhould the King (if He continued in that wicked courſe, maintaining thoſe wicked acts againſt God) be rooted out and conclude the race.* Much more to the like purpoſe was ſaid, and, if any look upon the Privy-Councel Books of the Kingdom of *Scotland*, he will find this a truth. He was convented 27. *Decemb. anno* 1585. This man was an Oracle conſulted, and gave his anſwer in *Coppinger*, *Arthington*, and *Hacket's* extraordinary motion, which ſtory you know better then I.

Mr. *Black*, Miniſter of St. *Andrew's*, was convented too before the King and Councel about the ſame time, who appealed from King and Councel *to the Presbytery or General Aſſembly*; this laſt had ſpoken againſt both King and Queen. There was a great buſineſs for the two mens appeals, their Brethren ſided ſo much with them that the King had too much to do. At laſt out of more then warrantable indulgence His Majeſty was content to inſiſt no farther againſt them before His Councel, but to remit their cenſure to the *General Aſſembly it ſelf*: before which it was cleerly proved, that in Pulpit they had ſpoken Reproachful and Treaſonable ſpeeches; yet could the King by no power or entreaty obtain of them to inflict any puniſhment upon them, becauſe, ſaid they, *They knew not with what Spirit they were overruled.*

I will ſhut up this point with one inſtance, more than ſufficient to make the truth of what I ſay to appear. Before King *James* came to the Crown of *England*, it was ordinary in *Scotland* to have a *General*

Assembly once a year, and oftner *prove natâ*, upon any great Exigent. The last which was kept during His Majesties abode there was *Anno* 1602. in the close of which the next ensuing was appointed to be at *Aberdeene*, *An.* 1603. In the interim the King succeeding to Q. *Elizabeth*, and being in *England*, He was so much taken up with the affairs of this Kingdom, that He was necessitated to lay aside those concerned *Scotland*; and for this reason His Majesty thought it fit to adjourn the Assembly (unto which he had a special eye, knowing their turbulent disposition, and experienced in it whilest he was present amongst them) to the next Summer in *Anno* 1604. When the time appointed was come, His Majesties more weighty affairs not suffering Him to think upon the *Assemblies business*, He gave order to Prorogate it to another and longer day; which was accordingly done by publike Proclamation, authorized by His Honourable Privy-Council of that Kingdom. Notwithstanding all which, some Thirteen or Fourteen Godly zealous Brethren must needs meet at *Aberdeene* at the day appointed for the Assembly. They established and formalized the Judicatory, by constituting a Moderator, a Clerk, and other essential Members of the Court. The Lords of Council understanding this contempt, sent a Gentleman of good quallity and place, with an Herald at Arms, to discharge and dissolve the Holy-meeting. The Commissioner and Herald were entertained with as much respect, as before they had given reverence to the Proclamation issued out by the Soveraign authority of the King with the advice of His Honourable Privy-Council. The *Holy Fathers in the great Sanhedrim* protested and professed, that in Conscience and Duty to Almighty God, they were bound to preserve the Churches right, and could not, would not, give way to that power the King Sacrilegiously usurped, which properly and natively belonged to the *Church virtual*, *The Assembly*. They kept and continued the Assembly some dayes, and finding that no more of the holy Brotherhood came to joyn with them, they dissolved, and to preserve the holy right of the Church appointed the time and place of meeting for the next Assembly. The King hearing this, gave order to His Privy-Councel to cite and convent them, before them, and to punish this High contempt. The more *zealous Champions of the Lord of Hosts* appeared, and with an undaunted courage gave in to the Lords of Council a *Protestation*, *a Declinator* from the Kings Council, and appealed to the next *General Assembly*, as the sole and competent judge in this case and cause. The King's Atturney or Advocate, by order from the Council-Table, was ordained

to

to purſue them criminally before the Lord Juſtice-General, and that upon the Act of Parliament mentioned before *Anno* 1584. upon which Order, the one half confeſſed their faults, and eaſily made their Peace, and obtained pardon. The Zealots were convicted of Treaſon, *ad Terrorem & Exemplum*, more then for any other end or reſpect: and only baniſhed the Kingdom. Of whom the moſt part thereafter upon their confeſſion and ſubmiſſion were pardoned, came home, lived and enjoyed their own, or at leaſt as good, if not better, Benefices. Sir, are theſe things conſiſtent with Monarchy, or the obedience is due to Soveraignty and its Higheſt Courts?

The Soveraignty Eccleſiaſtical, tyrannizeth over Conſcience, Body, and Eſtate.

So abſolute and uncontrollable is this High Celeſtial Court, that it commandeth, Conſcience and Soul, diſpoſeth of Body and Eſtate in the point of Religion, that if you conform not in all, neither Soul, nor Body, nor Eſtate, can be in Peace; nay no toleration can be allowed where this ſoveraignty domineereth. And to make this power of the larger extent, it is certain, their faith and things neceſſary to Salvation are of greater latitude then that of the Council of *Trent*.

If any doth not, after a little time granted for information, conform and ſubſcribe to their Confeſſion of Faith, (which is more in Negatives and Deſtructives, then Affirmatives and Poſitives) their rule of Government, their manner of Worſhip, and what elſe in their opinion is neceſſary to Salvation, (and in this I am ſure they are more rigorous then ever God or Catholick Church was, for if you diſſent but from them in a Theological Tenet, it is Hereſie) you are forthwith excommunicated, *and given over to the Devil*: after which, upon the remonſtrance of a Commiſſioner from the Presbytery to the Civil Judge, there is a Warrant from Supream Authority given out to command you to Conform (this is different from the Writ *De excommunicato capiendo*) or then within few days to be put to the horn (that is out-lawed). Upon diſobedience the tender Conſcience not conforming, the out-lawed's eſtate moveable (Chattels we call it) become proper to the King. God knoweth, little of this benefit commeth to the King's Theſaurer: but, a *Donator to the Eſcheit*, which ordinarily is the Convicted's mortal Enemy, for a little compoſition hath the right made over, and hath the benefit of the Eſcheit. If, within a year and day he give not obedience and conformity; his whole Revenues and Rents of immoveable goods are forfeit to the King during his life time. Some Enemy of His, or Favourite of the Theſaurers, obtaineth the King's Right, and the King hath little or nothing

thing of it. Here you have him ſtript of all his Eſtate moveable, immoveable. Yet here is not an end: but ſtill upon Remonſtrance of the *Presbyteries or Church's Commiſſioner*, another Writ goeth out, which they call Letters of Caption, (that is, if I miſtake not, the Tant amount of the Writ *De Excommunicato capiendo*) which is directed to all Sheriffs, Stuards, Provoſts, Bailies, *&c.* to ſeize and ſecure his Perſon whereſoever it may be apprehended, and to commit him to cloſe Priſon as a Rebel. If he skulk and hide himſelf, then upon the ſame Remonſtrance goeth out a Writ, which there they call *Letters of Intercommuning* (I know nothing in the Law like this) the intent is, that none of the Kings Subjects commune or conferre with him *coram* or perſonally, or by Letter or interpoſed Perſon keep intelligence or correſpondence with him; otherwiſe the intercommuner is to be judged and reputed to be a Rebel of the ſame guiltineſs. You will be pleaſed to remember this, when the Church requireth all theſe of the civil Magiſtrate (ſo they are pleaſed to term Soveraignty) he is bound to grant them. Now, Sir, I pray you conſider, if this is not in many reſpects worſe then the Inquiſition, when an Opinion in a Theological Tenet different from the aſſured Faith of thoſe *Gamaliels* may bring a man unto all thoſe troubles. Only to make amends for this, remember, this authoritative way preſerveth a Church from Hæreſie, Error, Superſtition and Schiſm.

This Court is Judg of Treaſon in relation to Religion, and of fit and worthy Councellors for a King.

There is another practice of the power of this Court, that for the glory of God, the honour of King, the good and preſervation of Church and Religion, it may aſſume to it ſelf to be Judg of what is Treaſon, what is not: who are fit Councellors for a King, who not.

Practice is the moſt ſure infallible and clear proof and demonſtration of power. I will give you one in the caſe of Treaſon, that none dare to ſay it is a Lye, and which can be made good by the authentick and publique Records of Parliament and Councel of *Scotland*; and their own Noble acts of general Aſſembly.

When King *James*, about the age of *Joſias*, (when in holy Writ it is recorded of him that he began to ſeek the Lord with all his heart) had taken the Government of the Kingdom in his own hand; and did Reign and Rule with ſuch Prudence incomparable, admirable, that none could juſtly except againſt Him or His Government: yet ſuch was the reſtleſs ambition of ſome, who could not with patience endure the truſt of others, eſpecially of that Noble worthy *Eſme Duke of Lenox*, His Majeſties neareſt Kinſman and higheſt Favourite, and that juſtly for His moſt eminent Noble Endowments: Theſe

dif-

diſcontented Gentlemen layed down a reſolution to get the King into their hands and power, and to thruſt out that Noble Prince. They watched an opportunity, when the King came to his ſport of hunting near to *Saint-Johnſtowne* with an ordinary attendance (the Noble Peer ſtaying with others at *Edenburgh*, for the King and Kingdoms better ſervice) ſurprized him fearing no ill, ſeized his Perſon, carryed him along to the Caſtle of *Ruthen*, kept him ſo that none could have acceſs to him, till he was forced to command the Duke of *Lennox* to depart the Kingdom (which out of zeal and love to the King he did, in Winter embarking at *Dunbritton*, came to *France* and dyed ſhortly after) and to change all his ſervants they diſliked, and to ſurround him with themſelves and their own. They kept their King in captivity the ſpace of nine months, ſuffering none to come at him, but ſuch as they pleaſed. The wiſe King put a good face upon a fowl buſineſs, ſeemed to like well of them and their courſes. Nevertheleſs the beſt and moſt knowing of Subjects grumbled exceedingly to ſee their Prince ſo abuſed. The Conſpirators underſtanding it, did adviſe upon the beſt courſe to ſatisfie the people, and to bring them to approve their way. They wrought with the chief Rulers of the Synagogue, and prevailed. At the next general Aſſembly, they give in a Remonſtrance to them then ſitting in *Edenburgh*, declaring the *Extraordinary reaſons* that moved them to ſecure His Majeſties Perſon in the Caſtle of *Ruthen*: their zeal to the Reformed Religion, which was in imminent and apparent danger by the practices of the Duke, who was ſent from *France* to *Scotland* of purpoſe to corrupt the young King: their care to ſecure the King's Royal Perſon, whom the Duke intended to conveigh privately to *France*: their deſire to free the Subjects from the bloody tyranny and oppreſſion both of their lives and goods by the malitious diſpoſition, and inſatiable avarice of thoſe who were about him and over-ruled him; and a great many more ſpecious pretences, (which are not much different from theſe of this time;) upon this Narrative the humble Petition to this Superlative Soveraignty was, that the holy Brother-hood would be pleaſed to give an approbation to this their Heroick and Chriſtian fact, and whatſoever was their judgement they would obey it; with this *Proviſo*, that it ſhould be made known to all good Chriſtians within the Realm. The Demand was pious and juſt, the holy Aſſembly, ſecured from erring and error, and not encroaching upon any thing meerly civil, but in a caſe of ſo high concernment *in ordine ad ſpiritualia*, as competent Judges, do take the caſe into their conſideration,

ſideration, and, after mature deliberation, being aſſiſted with a fanſied infallible direction, give out their verdict, authorize and approve all in ſubſtance or circumſtance to be holily and juſtly with much zeal and diſcretion done. In all this they exceeded not their power, and that becauſe, What was done, was for the advancement of God's glory, the hononr and perſonal ſafety of the King, and publique good of the Kingdom: That all good People might reſt content and be fully ſatisfied, it was further ordained, That all Miniſters ſhall upon their return to their Pariſhes, intimate ſo much to all their flocks; and withal exhort all People to eſteem the actors as good Chriſtians and Patriots, that for the cauſes above-mentioned were neceſſitated to take this courſe, to preſerve Religon, to rectifie the Errors of Court, which were brought and wrought to that height that both Religion and Policy were in the greateſt imaginable danger. The Ordinance was accordingly performed, to no ſmall grief of honeſt Subjects and Chriſtians. Sir, if there were no more inſtances, What do you think of this?

It is worth your notice-taking, that this Noble Duke dying in *France*, who, before His coming to *Scotland*, had been bred in Popery, became a Proteſtant when He came thither, and was King *James* his Convert. While he was a dying, Romiſh Prieſts were moſt earneſt for acceſs to reconcile him to that Church; but he, adhering to truth, and proteſting withall his Promiſe to his Couſin King *James*, would admit none, and dyed in the Communion of the Proteſtant reformed Church.

The Sovereaignty of the Aſſembly is above all Laws, and may repeal them.

This high Court, the general Aſſembly, *in ordine ad ſpiritualia* challengeth and practiſeth a Soveraign power above all civil Laws and Statutes and Acts of Parliament. And that with that power, that of it ſelf it may repeal and condemn ſtanding Laws, and Acts of Parliament, which are in practice, and obſerved within the Kingdom.

To give you a recent example and inſtance of this; Since this Aſſembly of late in this diſtemper hath recovered it's place and power, the general Aſſemblies of *Glaſcom* and *Edenburgh* have damned Biſhops as Antichriſtian and againſt their Reformation. I wave this. More, they have ſecluded Biſhops or any Church-man from having any voyce in Parliament, Conventions, or Councel. Thus by their own moſt proper Eccleſiaſtical authority they have made void many Acts of Parliament there, which before were in force and practice. As that in *Anno* 1584. *declaring it Treaſon to call in queſtion the power and authority of any of the three Eſtates*, (that is Biſhops,

Biſhops, Lords, and Commons) *or any one of them.* This act was made only to preſerve the priviledges of the Eccleſiaſtical eſtate inviolable. This is evident by the King's Declaration put forth the year following 1585. Again, they have made void another Act of Parliament in *Anno* 1597. *Ordaining, Miniſters that ſhould be provided by His Majeſty to Prelacies, to have Vote in Parliament; as being the third Eſtate.* Another in *Anno* 1606.

The ſame Aſſemblies, did declare the Acts of the Aſſemblies of *Glaſgow, Perth, &c.* null, void, and unlawful: which notwithſtanding were enacted as Municipal Laws, obedience commanded, and practiſed in the greateſt part of the Kingdom. How much King *James* his happy memory is blaſted, by theſe ſupercilious new Orders of thoſe Aſſemblies, my Pen bluſheth to expreſs.

The ſame Aſſemblies have condemned the High-Commiſſion Court, declared by Act of Parliament. And this is done upon this ground (which proveth their *Soveraignty in ſpiritualibus*) becauſe it was not conſented to by the Church: That is, the vertual Church, the General Aſſembly.

When I conſider theſe things, I cannot ſufficiently wonder how the High-Court of Parliament of *England*, hath ſwallowed and ſworn their Covenant, which in it's right ſenſe doth eſtabliſh a Court above King and Parliament. Judg you, Sir, if this Oath be *in Judicio, veritate, & juſtitiâ.*

If King and Parliament be ſubordinate to this Court *in ſpiritualibus*, or *in temporalibus in ordine ad Eccleſiaſtica*, all the reaſon in the World will plead, that it is moſt juſt, that all Judicatories whatſoever, even the Supreameſt from whom lyeth no appeal, ſubmit and ſubject themſelves to it. All Judicatories are ſubordinate to this Sanhedrim.

The holy Fathers of this Court have ſhowen their Right in this point too. To confirm this, fearing I have wearyed you, I will bring but one inſtance, and ſpare to trouble you with more.

This Story can be made good by Records, which I am to tell you. And firſt, give me leave to inform you, That the *Lords of Seſſion* (who by Act of Parliament are ſo) are in all *Civil cauſes* the Supream Judicatory of the Kingdom under the King. No Judgment paſſed there can be rectified or reduced by any Judicatory, under the King and Parliament, but by themſelves, which is only by *ſuſpenſion of Execution*, of that is judged and decreed, or by *action of Reduction*: This is nothing but *Provocatio à Philippo malè edocto, ad Philippum rectiùs edoctum.* This thus premiſed, I come home.

Mr. *John Graham*, one of the Judges of that aſſociate Body, had commenced an ordinary and proper ſuit before the Lords of Seſſion, obtained *Decree and Judgement* according to his Libel. After which, a rumour was noyſed abroad, that the Writs and Evidencess, upon which his ſuit and the judgment upon it were founded, were forged and falſe. The General Aſſembly took notice of this injuſt Decree, as they to whom the inſpection of Religion and Juſtice belongeth, and who were bound not to ſuffer ſuch an unjuſt judgement to take place and be executed. They ſend for Mr. *John Graham*, commanding him by their authority to paſs from his *Decree*, to make no uſe of it againſt the Party againſt whom it was obtained, and that becauſe it was purchaſed upon falſe grounds, and *it gave occaſion of great ſcendal*, that he being a Judge ſhould make uſe of ſuch writs. His anſwer was, If any would challenge his *Decree or Judgment* upon any juſt ground, he might have his recourſe to the *ordinary Judge*, and take it away by *way of reduction*; but ſo long as it was not reduced, it concerned him to take the benefit of it. Then ſeeing that they could not prevail by Admonition, they threatned him with Excommunication, if he did not what they enjoyned. He appeals from them to the *Lords of Seſſion*, as the only *Competent* Judges in ſuch caſes: notwithſtanding they reſolve to proceed againſt him. The Lords of Seſſion finding themſelves intereſſed, and the Aſſembly uſurping upon them and their power, in this proceeding againſt one of their own number, who had appealed to them in a civil cauſe already judged by them; directed ſome of their number to the Aſſembly, and deſired them not to meddle any more in that buſineſs, as being meerly civil, and no wayes belonging to their juriſdiction. This produced no other effect, but incenſed the holy Fathers to rail againſt the Judges as wicked and corrupt men, who ſided one with another whether it were right or wrong. The buſineſs at laſt came to this height, that the Lords of Seſſion (who would not ſuffer them to encroach upon their Priviledges) by vertue of that Delegate-power and authority they were inveſted with from the King, threatned to out-law them, and to proclaim them Rebels to the King, if they proceeded any further, and would not admit of the appeal. The Aſſembly finding themſelves too weak and not able to make their part good by power (in which caſe only they will be Martyrs) fell from the purſuit, and all was quieted.

Sir, I pray you to conſider, In what condition are they that live under ſuch a Government that is boundleſs and univerſal; will

give

give Lawes to King, Councell and Parliament; Repeal theirs at pleaſures; reduce and make voyd Decrees and Iudgment of Higheſt Iudicatories, &c. What Peace or Tranquillity can there be in ſuch a State or Kingdom? Give me leave to tell you a true ſtory. It is known and lamented by all good men this day, how King *James* His Soul was vexed with them, that many times they have made Him fall out in teares. A Noble man, a moſt wiſe man, then Chancellor, ſeeing the King extreamly troubled at the miſcarriage of the Miniſterie, ſaid to Him: Sir, no man is to be blamed, that you are ſo much troubled with the Miniſters, as your ſelf; for when they do any thing amiſſe, you never ceaſe till by Your Royal prudence and authority you ſet it aright again: but, would you leave them to themſelves, the very body of the People would riſe up againſt them, and ſtone them out of the Kingdome. His Majeſty returned a moſt pious anſwer, worthy to be written in letters of Gold in Marble, that all Kings may learn it: My Lord, ſaith He, your advice is ſhrewd policy, but your Counſell is not good piety. If I had no more to do but to ſerve my ſelf of them for a politick end, your advice is good, and I know it would prove ſo. But God hath appointed me a Nurſe or Father of his Church, it is my charge from my Lord and Maſter to preſerve his Church, and not to ruinate it. Which if I do, God will ruinate me and my poſterity.

King *James*, in the Conference at *Hampton Court*, hath well obſerved, that this Eccleſiaſtical Government prepareth way, and uſhereth in a Democratical government. And he telleth alſo, that in His Mother Queen *Maries* abſence, and in his own Minority and non-age, it was much thought upon and intended. Their Maxims of Divinity lead to it; for they ſay, *Reſpublica eſt in Eccleſiâ*: The Church and her policy are the Houſe, the Civill Government is but the Hangings, which neceſſarily for decency and good order muſt be made conformable to the Houſe. Monarchy is enmity againſt the Church. *Catherwood* in his book entitled *Altare Damaſcenum*, gives you it in down right termes, *Naturâ inſitum eſt omnibus Regibus in Chriſtum odium*; and, in his Preface or Epiſtle (I have not the book by me) he calls K. *James*, *Infenſiſſimum & infeſtiſſimum purioris Religionis hoſtem*. And that they may now exerciſe all their power, and bring the Kingdom to a popular State, which was not ſo feiſable before, it is more then probable, and much to be feared, and with great prudence to be prevented: becauſe the General Aſſembly hath in it now the prime Noble men of the Kingdom, Dukes, Marqueſſes, Earles, Lords,

the most active and knowing Knights of Courtiers, and Esquires, the wisest Citizens and Corporations, and this in the Capacity of *Ruling-Elders*, who discontented are able here to make a Faction, call King, Session, Councell, or whom they please before them, because of their supream, universal and independent jurisdiction. And this Judicatorie cannot erre in its determinations, for it is undoubtedly secured from error, and assisted with infallibility.

A Holy trick which hitcheth all Sedition and Treason.

This divine policy hath another sacred trick to preserve its Soveraignty and to continue it, which is this. The General Assembly ordinarily meets but once a year, yet at the end and close of every General Assembly, there is a choice made of some Commissioners, (a Committee) who are to reside, or at least upon any necessary occasion to be, at *Edenburgh*. These, are the virtual Assembly, and their power continueth till the next General Assembly. They are, in the first place, to intimate to the King the desire and demands of the Assembly, and to see *all due civill Sanction and confirmation given to it*: the King, His Councell, His Parliament can change nothing of their sacred decrees without their consent. What ever new occurrence is in Church or State *pro re natâ*, these Commissioners are to give order and to see, *ne quid detrimenti Ecclesia capiat*. It is true, their orders bind only in the interim betwixt the two Assemblies, and the next plenarie Generall Assembly may *derogare*, *abrogare*, *obrogare &c.* Yet give me leave to tell you truth, these great Delegates with their power have so much influence upon the next General Assembly, that their προβουλευματα precognitions and predeterminations, are formally and Legally enacted. Nor is this to be wondered at: for the *Achitophels* and *Joabs* of Church and Kingdom, the best head-peeces of greatest depth, Preaching and Ruling Elders, are in this Junto.

Here are all disturbing Seditions, and treasonable courses hatched and conceived: whether it be Treason against the King, Sedition in State or Kingdom, the change of Court, the removing of Courtiers from the King, the surrounding of him with others, *&c.* The next Assemblie owns all their courses, decrees them under pretence of Piety, Reformation of abuses, removing of Malignants from the King and from his Councell, from being Judges in the supreamest Judicatories of the Kingdom, *&c.* By this means, at pleasure, when and where they will, they procure Parliaments to work for their own private ends. To facilitate the work, order is given to all Presbyteries, to command all the Ministers to preach to their flocks, to make

make and keep Fasts, for the danger the Church is in; that the King is inclinable, nay inclining, to Popery; that there are none in trust or power by Him, in Court, Councell, Exchequer or Session, but such as are Popish or Popishly affected: and such they must be, if they once determine it. And wofull experience hath confirmed it, that, worthie, innocent, and deserving men have suffered, and the King hath been forced to abandon His best Servants.

This close Committee hath all these prerogatives: 1. During the *interim* betwixt two Assemblies, they have trust to see that all the Orders and Decrees of the grand Consistory should be put in execution. 2. Next upon any exigent intervening, they have the power, by their influence upon all the Presbyteries in the Kingdom, to make them go which way they thought fit for their own ends, both to make the Ministers preach their sense, and to work with all the people to believe, the postures of affairs in Church and State were as they informed and represented them. 3. Thirdly, here were all things prepared for the next great meeting of the General Assembly.

By these means things projected were effected. This way the Queen Regent was put from Her Regencie. This way Queen *Mary* was expulsed *Scotland*. This way King *James* His captivity at *Ruthen* was found to be good service. This way that Noble Duke of *Lennox*, *Esme*, was made a Papist, and the King forced to abandon him, and he to depart the Kingdom in Winter being sick, and shortly after dyed in *France*. By this means, if I be not deceived, was that infamous day the 17 of *December*, *anno* 1596. (*atro signanda lapillo*) renowned for a most horrid insurrection in *Edenburgh* against King *James* and His prime Counsellors. I beg leave to give you a short account of it.

The Storie of 17. *December* 1596.

King *James* whilst He was King of *Scotland*, by all forraign Kings Princes and States, was admired for His extraordinary Royal endowments. Ambassadors from many beyond Seas at the same time, and almost constantly, were with him. The smallnesse of the patrimony of that Crown, was not able to maintain that Royal deportment He kept. Besides, being too too Royally liberal and magnificent, His coffers were empty, and at this time scarce was His Majesty able to maintain the necessary charge of His house in that measure which was suitable to so Royal a King. To remedy this, the King with the advice of his Councell entrusted, with all his Rents, Revenues, and casualties, Eight prime men of good worth and integrity, Officers of State, Counsellors and Judges. This was done that all might be rightly regulated, and before all things His Tables at Court kept

like

like a King's, that forraign Ambaſſadors might not eſpy any want which might derogate from the Honour of King and Kingdome. The ordinary Tables of the Court were regulated; the Courtiers daily allowance was re-trenched; which they could not away with. They and other diſcontented perſons did reproachfully call theſe men, *The Octavians*. They who grumbled at this, and would right themſelves, to gain their intendment, hit upon the ordinary and ſafeſt way; that was, to begin with the Church. They inform, The forraign Ambaſſadors did work upon the King to turn Papiſt: it was like they would prevail; for theſe *Octavians* were all ſuch in their hearts, and diſſembled only in profeſſing to keep a communion with the Proteſtant Church; if thoſe were not removed from the King, and good men put about him, Religion, Kingdom, and all were undone. When this had been often informed and ſuggeſted, early in the morning on the 17 of *December*, three of the King's Domeſtick Servants came to Mr. *Walter Balcanqual's* houſe; The Miniſtry of *Edenburgh*, and others Commiſſioners of the general Aſſembly, with ſome of the beſt Chriſtians of *Edenburgh* are ſent for, they meet there. The Kings Servants inform that all was undone, if they did not in time and ſpeedily prevent; for the Marqueſs of *Huntlie*, (this was the late Marqueſs who came occaſionally the night before to Court; and it is true he was Popiſh, but God knowes he was free of what he was charged with) ſay they, was with the King till twelve a clock at night in his Bed-chamber yeſter-night; it is reſolved upon to reerect Popery; and ſo, many of your beſt Citizens and Chriſtians are to be ſeized upon; ſome to be ſent to *Blackneſs*, ſome to *Innerneſs*, ſome to *Dunbritton*, &c. The caſe was apprehended in that zeal which became the cauſe. The reſolution taken, was, that Mr. *Walter Balcanqual* being to preach that very day in the Chapcell of Saint *Giles* Church, which they call the little Church, after Sermon and Prayer done, he ſhould deſire all good brethren and Chriſtians to meet immediately forthwith there for the good of Church and Religion. Noblemen, Gentlemen, Preachers, Burgeſſes, all who affected the good cauſe did meet. Mr. *Robert Bruce* was appointed by common conſent Moderator. It is laid open in what caſe Church and Religion, State and Kingdome are: the urgent inſtant neceſſity is made to appear. The reſult of the determination was, that preſently they go to Arms; and by holy force, to pull from the King's ſide thoſe *Popiſh Octavians*: That a Letter be written to *John Lord* Marqueſſe of *Hamilton* to come to *Edenburgh*, to *be Captain of the Congregation*; and in regard

gard the King had made defection from the true Religion, He being the neareſt of the blood ſhould come and take the Government upon him. I know the Juſt Copy of this Letter is extant to this day. They runne to Armes, the word is, *The Sword of the Lord and Gideon.* The good King was in the place of Juſtice; the prime of the *Octavians* with him; hearing ſomething of the uproar and tumult, by a ſecret paſſage, he and ſome other goe up to the Exchequer houſe over head. A great Lord was head of the Congregation, he and ſome others came Commiſſioners to the King, were admitted, demanded thoſe *Octavians* to juſtice. The King asked this Lord, How durſt he againſt His authority, His Lawes, His Proclamation, keep unlawfull meetings at *Edenburgh* (for the King before had diſcharged the meeting of thoſe Commiſſioners of Aſſemblie, or any other meeting whatſoever without his Royal warrant.) The Lord, with courage in zeal to a good cauſe, told the King that he ſhould ſee ere long, they durſt do more. The Lord, or ſome other, taketh hold of one of the *Octavians* Gowne, who was P. eſident of Seſſion; but he pulleth his Gown out of his hand, and conveyeth himſelf down to the houſe where the Lords did ſit in judgment. In fine, the King and Lords were forced, to ſhun the danger of this tumultuary inſurrection, to cloſe up the doors, and ſome to ſtand with their ſwords drawn if any ſhould offer violence to break up the doors. Some good Subjects eſpecially *Alexander Home* of *Northberwick* for the time Provoſt of *Edenburgh*, and *Roger Mackmath* (whom King *James* ordinarily called his Bailie) with others well diſpoſed and Loyally affected Subjects, and namely the *Hammer-men* riſe up in Armes for the King, who partly by ſmooth words, and partly by threats, huſht and houſed the Factions and Seditious. The King came out of the place of Judicatorie, and on foot, attended with many Nobles, Gentlemen, and other good Subjects, came to His Palace at *Halyrude-Houſe*, in peace: where immediately in the afternoon, he convened his Privy-Councell, and by his Wiſdome and Authority ſo repreſſed and puniſhed that inſolencie, that all the time of his Reigne, the like Barbarous tre cherous courſe was never attempted. I hope you are the more apt to believe this, when you remember, What a Petition or Declaration was preſented to Queen *Elizabeth* at *Greenwich anno* 1582. to remove from her Service and Truſt ſuch as they know were not well affected to the Religion and Church.

Sir, I could make it appear how all Seditions almoſt and Rebellions in that Kingdom, have been ſet afoot or fomented by this Go-

vernment Presbyterian: How neighbourly Feudes have been encreased and entertained: How Moneys collected for the relief and support of *Geneva*, were by the chief *Gamalials* and Presbyters interverted, employed to raise and pay Souldiers to ayde and assist the Earl of *Bothwel* and his complices in Rebellion against the King. I fear I have wearied you already; the Subject is everlasting, and I am weary of it.

If I should give account of the late practises and tenets of this late Covenant, it were possible to let you see that it hath farre exceeded all the mischief ever their forefathers did, although they tread in the same footsteps. The reason why I have spared it, is not I feared it, I hope to discover it sometime to the World by anatomising it fully. Next, I hope, you have espyed the Noble passages of it; and are sufficiently confirmed, that nothing can be more destructive of Monarchie, and the peace of any government. To shut up all, give me leave in the close, to give the Articles of their Apostaticall Creed inconsistent with Monarchie, which they hold as the twelve Articles of the Apostolicall Symbol. I will touch only the prime of those; for their other Articles, they are so many and of so vast an extent abounding in Negatives, that as King *James* saith well, He that would keep them is not able to keep them in his Brain, but must keep them in a Table-Booke.

The Articles of the Dogmatical Presbyterian Faith, inconsistent with Monarchie.

Their Dogmaticall Creed.

1. AS I have said before; They preach and maintain that the Church is the house of God, the civill Policy and Government are only the hangings.

2. Next they beleeve, All Ministers are *pari consortio honoris & potestatis præditi*, that there must be a parity in the Church. Joyne these two together, and you have a fair way for Democracie.

3. They vindicate to themselves and their Consistory, a soveraigne, complete, universal, independent power in all things spiritual that concern Salvation, they have not only the directive power but the Legislative also; and all temporall things in order to Salvation and Religion come within the verge of their Scepter. All soveraign Power, (whersoever you fixe it, whether in *one*, as in a Monarchie; or in *few*, as in an Aristocratie; or in *many*, or *all*, by vicissitudinarie turns) have only the Executive power to do as they command, and is bound

to preserve by it's Power, Lawes and Armes, their sacred and celestial Priviledges and Soveraignty.

4. Whatsoever Lawes civilly exacted by Kings or Parliament they conceive to be against the Lawes of the Kingdom of Christ, by their native proper intrinsecal right immediately derived from Christ, they may repeal and make voyd, discharge the Subject to obey them. They may decree not only different Lawes of their own from the standing Lawes of the Kingdome, but contrary, contradictory and destructive of them. And have withall so much coactive power, that if obedience be denyed to the Lawes of this Soveraignty, they can destroy the Souls of the Subjects, by delivering them over to *Satan*.

5. No Minister preaching in Pulpit, Sedition or Treason, or railing at King, Councell, the prime Judges, is accountable, or punishable by King, Parliament, Councell, or any Judicatory whatsoever; But from all, he may appeal to the *Sanhedrim and Consistorie* as the sole and proper competent Judge.

6. What Corroboration or civill Confirmation or Sanction they demand of the King, which he is able to do civilly (for they will give him no formall interest in any sacred or religious thing) He is bound to Grant it, and to obey them as Christ's immediate Vice-gerents, otherwise they may Excommunicate him.

7. Reformation and preservation of Religion, especially to prescribe the way and Orders for Reformation is solely theirs.

8. The King is bound to put their Orders in Execution; but if neither He, nor His Councell, nor His Parliament will do it, the Inferior Judges, the Nobles, the Commons, nay every individual man to his utmost power, at their direction, are bound to do it.

9. That they may without warrant of supreame Authority Assemble where and when they will, for God and Christ's cause and for the Liberty and Peace of Subject and Kingdome *in ordine ad spiritualia*; and there they may Covenant together, sweare, and subscribe for the glory of God, the advancement of Religion, and conspire and combine in a mutual defence one of another in this holy Cause and League.

10. They teach and maintain, that all Soveraignty and Majesty in a King is originally, immediately, and properly derived from the Community, and that only by way of a fiduciary trust; so that it is habitually and radically still in the people, and the King hath no greater portion or proportion than He hath by the first popular fundamental Constitution. And in case of deficiency, the collective body may supply in Church or State the defects of His Government. Formal-administration

ministration the King is censurable; For enormous errors, He is deposable, and they may disinherit His Posterity.

11. That a defensive Warre is lawful against a bad King, or a weak King seduced by Malignant Councell.

12. They may oppose and resist all His Officers and Commissioners by force and violence, if they come to execute His illegal commands. And if He will be so obstinate that He will come in Armes against these good Christians, they resist not His Authority, but His Will; nor His Office, but His Person.

Besides, their practice, upon these grounds, is to bring all cases, all causes, under their cognition and Judgment, *sub formalitate scandali*; by which the King is robbed of His Sacred Prerogative; The Judges of their authority; and all Subjects of their Right and Quiet. The rest of their Extravagant Maxims, inconsistent with Monarchy and the peace of Government, are reduceable to these heads. More then this you desired not.

Sir, being infinitely obliged to you, and honouring you much for your worth and Excellent parts, cursorily and hastily, I have written this answer to you. Not intending thereby to reproach any person particularly what soever, but to lay open to the World how dangerous a Government this is, nor only for Monarchy, but for all Governments whatsoever: and that our eyes being opened we may chuse rather to endure any torment temporary, then to enter into this treacherous, and damnable Covenant, destructive of Religion, King, Church, Peace of all, and the Liberty of the Subject. To swear to these things as established *de jure divino*, and to put on poor people to Act Treason and Rebellion, making them believe they are Confessors and Martyrs. If this give you any satisfaction, I have what I desire: If you doubt of the truth of any thing, I hope I am able to make all here good by faithful and authentick Records, or Testimony of such as are worthy of trust. I pray you keep it for your own use only, for I should be loath any but a Friend see it, it is so rudely done; but, I dare say, truly and faithfully.

God save his Church from this Scourge, and give us Peace and Truth, which shall be the daily prayer of

Your poor Friend and obliged Servant.